UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21862
10 October 1990

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication that he has received from the President of the Council of the International Civil Aviation Organization.

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Annex

Letter dated 2 October 1990 from the President of the Council of the International Civil Aviation Organization addressed to the Secretary-General

Further to my letters of 7 and 13 September 1990 (S/21796 and S/21828), I am pleased to send herewith for your information the text of my memorandum PRES AK/234 to Representatives on the Council of ICAO on the situation in the Gulf area, in particular with reference to the United Nations Security Council resolution 670 (1990). This memorandum reproduces my statement in the closed meeting of the Council on 1 October 1990.

(Signed) Assad KOTAITE

Enclosure 1

Memorandum dated 2 October 1990 from the President of the Council of the International Civil Aviation Organization addressed to the representatives of the Council

To: Representatives on the Council

From: President of the Council

Subject: Situation in the Gulf area

On 1 October 1990, I made a statement in the closed part of the 1st Meeting of the 131st Session of the Council under "Other Business".

At the request of several Representatives, I am circulating the text of my statement for your information.

(Signed) Assad KOTAITE

Att.

READEX FICHE

Enclosure 2

STATEMENT BY THE PRESIDENT OF THE COUNCIL ON 1 OCTOBER 1990

(Council, First Meeting of the 131st Session)

On 4 September 1990, in the closed part of the 31st Meeting of the Council's resumed 130th Session, I made a statement under "other business" on the situation in the Gulf area. At the request of several Representatives, the verbatim record of my statement was distributed for information in my memorandum PRES AK/229 of 12 September 1990. At that time, I promised to keep the Representatives informed of further developments. My statement addressed the events and actions taken by the United Nations Security Council, the air navigation and operational aspects of the situation and the action taken by ICAO to prepare appropriate contingency measures to prevent the possible disruption of the traffic flow. I also informed the Council of the request by the Government of Kuwait to notify Contracting States that 15 aircraft belonging to Kuwait Airways had been seized by Iraqi forces and States were requested to help prevent Iraq from using those aircraft. It was in full conformity with the Security Council resolution 662 of 9 August 1990 that this letter was circulated on 14 September 1990 to ICAO Contracting States since that resolution called specifically on all States and specialized agencies to refrain from any action or dealing that might be interpreted as an indirect recognition of the annexation of Kuwait by Iraq. Furthermore, I have received, on 17 September 1990, after the State Letter had been sent out, another letter from the authorities of Kuwait giving more information and technical data regarding the 15 Kuwait Airways aircraft concerned.

The new developments in the situation include, in particular, Security Council resolution 670 (1990) adopted on 25 September 1990. The text of that resolution was distributed immediately for information of the Representatives with my memorandum PRES AK/231 of 26 September 1990.

Resolution 670 (1990) directly addresses civil aviation. In adopting this resolution, the Security Council expressly acted under Chapter VII of the Charter of the United Nations and it is unconditionally binding on all Member States of the United Nations by virtue of Article 25 of the Charter. Furthermore, the resolution specifically refers to Article 103 of the Charter, emphasizing that the obligations of States under the resolution take precedence over any other obligations under international agreements or contracts - a point further emphasized in operative clause 3 of the resolution.

The essential point of resolution 670 (1990), in clause 3, is that States are obliged to deny permission to any aircraft to take off from their territory if the aircraft would carry any cargo to or from Iraq or Kuwait (except humanitarian supplies permitted under resolution 661). Furthermore, under clause 4, States are obliged to deny permission to any aircraft destined to land in Iraq or Kuwait to overfly its territory unless the aircraft lands in its territory to permit inspection to ensure that there is no cargo on board in violation of resolution 661. States are also obliged, under clause 5, to take all necessary

measures to ensure that any aircraft registered in its territory or operated by an operator who has his principal place of business or permanent residence in its territory complies with resolutions 661 and 670. Under clause 7, the resolution calls upon all States to co-operate in taking the necessary measures to ensure the effective implementation of the resolution - consistent with international law, including the Chicago Convention. The practical meaning of this provision is that any enforcement or other "necessary measures" have to refrain from the use of weapons against civil aircraft in flight; this rule is a part of general customary international law and has been only expressly recognized in a codified form in Article 3 bis of the Chicago Convention; this obligation therefore exists independent of the entry into force of the Protocol of 1984 introducing the new Article 3 bis in the Chicago Convention.

All flights must be inspected before departure or upon required landing to make sure that they do not carry cargo banned under resolution 661.

Paragraph 11 of resolution 670 affirms that the specialized agencies are required to take such measures as may be necessary to give effect to that resolution and resolution 661. This is a direct task for ICAO, in particular when read together with Article VII of the Agreement between the United Nations and ICAO (Doc 7970) of 1947, under which ICAO is obliged to "render such assistance to the Security Council as that Council may request, including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security".

The request by the Security Council is formulated in general terms - "to take such measures as may be necessary" - and does not indicate any specific action. Any action to be taken by ICAO will have to be within the constitutional mandate of the Organization.

So far no proposal has been presented in the framework of ICAO for any specific measures to be taken under Security Council resolution 670 (1990); any such proposal will have to be considered as a matter of priority by the ICAO Council.

Furthermore, I wish to inform the Council that on 25 September 1990, I received a letter from the Representative of Iraq on the Council advising me that under a decree issued by the Revolutionary Command Council of the Republic of Iraq, the assets and property of the [and I quote: "former"] Government of Kuwait, including aircraft of Kuwait Airways, have become the property of the Government of Iraq; any disposition with such assets and property will be considered as an infringement of the rights and assets of the Government of Iraq. The letter requested me to advise the ICAO member States accordingly.

I have not circulated this letter to the Representatives and do not propose its circulation to member States. I believe that ICAO should strictly maintain the policy that communications from one State are not distributed to other Contracting States. The recent communication of Kuwait has been distributed to all States but that was done in conformity with resolution 662 (1990) of the Security Council which called on States and the specialized agencies to refrain from any action or

dealing that might be interpreted as an indirect recognition of the annexation of Kuwait by Iraq. In this context, it should also be noted that resolution 670 (1990) of the Security Council specifically affirms that the Decree No. 377 of the Revolutionary Command Council of Iraq of 16 September 1990 is null and void. Consequently, the circulation of the letter from the Representative of Iraq would not be consistent with the terms of resolutions 662 and 670.

Finally, I wish to inform the Council that, as I indicated in my statement of 4 September 1990, the traffic continues to proceed without disruption and the appropriate contingency arrangements have been prepared to prevent any possible disruption of the traffic; however, so far there has been no need to introduce such contingency measures. ICAO continues to closely monitor the situation from the Headquarters and through the Regional Office concerned, in close co-operation and co-ordination with the States involved and with IATA.

UNITED
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General Assembly Security Council

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10 October 1990
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GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 10 October 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Algeria to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the text of the statement made on 9 October 1990 by the representative of the Algerian Ministry of Foreign Affairs in connection with the massacre by the Israeli occupation forces of Palestinian civilians on the esplanade of the Al-Aqsa holy mosque.

I should be grateful if you would have this text and its annex circulated as an official document of the General Assembly under agenda items 23 and 35, and of the Security Council.

(Signed) Amar BENDJAMA
Chargé d'affaires a.i.

ANNEX

Statement made on 9 October 1990 by the spokesman for the Algerian Minister for Foreign Affairs

It is with grief and respect that the entire Algerian nation pays tribute to the memory of the latest martyrs to the Palestinian cause, the innocent Palestinians who were victims of the organized killing at the Al-Aqsa mosque, the third holy place of Islam.

This is a premeditated killing, a source of revulsion to the Arab and Islamic peoples, making yet another claim upon the conscience of mankind in the long series of crimes committed daily by the Israeli occupying forces against the Palestinian people in its occupied homeland.

To accuse the victims of the Al-Quds carnage of trying to deflect attention from the Gulf crisis is to display utter cynicism and arrogance.

The fact that the endeavour to eliminate the Palestinian people has been able to proceed with impunity is due in part to the proven inability of the Arab world to resolve its differences and to close ranks in defence of the sacred Palestinian cause. It is also due to the Zionist leaders' belief that they can count on the passivity or powerlessness of one part of the international community, while retaining confidence in the benign complacency or powerful support of another part of that community.

Algeria urges the Security Council to mobilize United Nations efforts and resources to protect Palestinian civilians as a matter of the utmost urgency and, once and for all, to ensure the implementation of United Nations resolutions for a just and lasting settlement of the Palestinian question.

At a time when the emergence of a new international political order based on co-operation within the United Nations to promote the right of States and of peoples has become the focus of attention, at precisely that point in time when the United Nations is making intensive efforts to ensure the implementation of the resolutions relating to the Gulf crisis, the Al-Quds tragedy affords the Security Council the opportunity to give tangible proof of a common, sincere and resolute will to ensure that respect for international law will prevail universally and without exception.

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General Assembly Security Council

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10 October 1990
ENGLISH
ORIGINAL: ARABIC AND ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda item 35
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 10 October 1990 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement issued by the Ministry of Foreign Affairs of the State of Qatar on the tragic developments in the Israeli-occupied East Jerusalem (see annex).

I should be grateful if you would arrange to have this letter and its annex circulated as an official document of the General Assembly, under agenda item 35, and of the Security Council.

(Signed) Dr. Hassan Ali Hussain AL-NI'MAH
Ambassador
Permanent Representative

Annex

Statement by the Ministry of Foreign Affairs of the State of Qatar

The State of Qatar has condemned the odious crime committed by Israel near the Al-Aqsa mosque, which has caused dozens of deaths and wounded among the Palestine people from the bullets of the army of occupation. The State of Qatar has described this crime as a massacre which has no other justification but the blood thirst of the Israelis, who do not hesitate to kill unarmed civilians and innocent worshippers.

An authorized source of the Qatar Ministry of Foreign Affairs has denounced the profanation of the Al-Aqsa mosque by the Israeli occupation authorities and the crime committed on its sacred soil, which constitutes a clear challenge to the Islamic world and a flagrant violation of international conventions, customs and moral principles.

The same source has recalled the constant position of the State of Qatar as regards the Palestinian question and the heroic uprising of the Palestinian people and has expressed its support for this people's struggle to return to its land and to recover all its legitimate rights.

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General Assembly Security Council

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S/21864/Corr.1
15 October 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda item 35
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 10 October 1990 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

Corrigendum

The following correction has been requested by the Permanent Mission of Qatar to the United Nations:

Page 1

In the first paragraph, for in the Israeli-occupied East Jerusalem, read in occupied Jerusalem.

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UNITED
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Security Council

Distr.
GENERAL

S/21865
10 October 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 9 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Further to our communications concerning the practices engaged in by the Iraqi occupation authorities against nationals and residents of Kuwait, I have the honour to transmit to you herewith a number of reports issued by Amnesty International between 3 August and 3 October 1990. They describe some of the savage acts perpetrated by the forces of the Iraqi régime with the goal of destroying the independent personality of the Kuwaiti people by all possible means, including the wide-scale and indiscriminate physical liquidation of men, children, the elderly and women. Kuwait's continuing calls for pressure to be brought to bear on the Iraqi régime to permit the entry of representatives of the International Committee of the Red Cross stem from our full awareness of the scale of the horrific repression to which the Kuwaiti people under occupation is being subjected and from the need to secure for that people a minimal level of international protection.

I should be grateful if you would have this letter and its annexes circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

Annex I

[Original: English]

News release No. MDE 14/15/90 issued on 3 October 1990 by
Amnesty International, London

IRAQI FORCES KILLING AND TORTURING IN KUWAIT, SAYS
AMNESTY INTERNATIONAL FACT-FINDING TEAM

Iraqi forces have tortured and executed scores of people, including boys as young as 15, since Iraq's invasion of Kuwait on 2 August 1990, Amnesty International said today (Wednesday, 3 October).

The organization has interviewed scores of people who have fled Kuwait and two of its representatives have just returned from Bahrain where they talked with victims and eye-witnesses of abuses.

> "Their testimony builds up a horrifying picture of widespread arrests, torture under interrogation, summary executions and mass extrajudicial killings."

Hundreds of Kuwaitis and other nationals are now believed to be in detention centres or prisons in Kuwait and Iraq.

> "Iraqi forces have arrested not only people suspected of armed attacks against them but men, women and children found with opposition literature, the Kuwaiti flag or photographs of the Amir of Kuwait."

The possession of these items are said to be treated effectively as capital offences, punishable by death.

Some people have also been arrested or killed for failing to replace photos of the Amir with those of Iraq's President Saddam Hussein.

Detainees are being held in police stations, schools and other public buildings in Kuwait and some have been transferred to Iraq.

> "Those who have been released say the Iraqi military and intelligence routinely torture detainees."

Some have been given electric shocks or suffered prolonged beatings to sensitive parts of their bodies. Others have had their limbs broken, their hair plucked out with pincers, their finger- and toe-nails pulled out and were threatened with sexual assault or execution.

> "We cannot even publish more details on former torture victims in case they or their families are identified and suffer further reprisals."

Iraqi forces have reportedly killed scores of unarmed civilians. Boys as young as 15 have been shot in the head and their bodies dumped outside their homes.

Doctors who worked in Kuwait's hospitals following the invasion said Iraqi soldiers brought in scores of bodies of young men, many of whom were shot at close range in the heart and head. The doctors were forced to issue death certificates saying the victims had died after arrival at the hospitals.

Scores of hangings have also been reported in the grounds of Kuwait University of people suspected of opposing Iraq's annexation of Kuwait. Those hanged were summarily executed after being accused of criminal offences.

While Amnesty International has been unable to confirm some of these accounts of human rights abuses, they have come from a wide range of sources both within and outside Kuwait.

> "The reports tell a consistent story of violations which bears out Amnesty International's own information on Iraq's human rights record."

Amnesty International condemns the summary executions, extrajudicial executions and torture being carried out by Iraqi forces.

It also opposes the use of the death penalty, which has been introduced for harbouring Western nationals, looting and hoarding food for commercial purposes. One Kuwaiti was executed in September for harbouring an American and Iraqi authorities have confirmed that 10 people have so far been executed for looting.

* * *

Enclosure

[Original: English]

Information paper No. MDE WU 04/90 EXTERNAL, dated 28 September 1990

The following information updates Amnesty International's concerns following Iraq's invasion of Kuwait.

Reports of mass extrajudicial killings, summary executions, widespread arrests and torture under interrogation continue to emerge from the thousands of people who have fled Kuwait since its invasion by Iraqi forces on 2 August 1990. Amnesty International has obtained detailed testimony from scores of people interviewed in the United Kingdom and Bahrain, among them a number of Kuwaitis who fled their country on 15 and 16 September when Iraq briefly opened Kuwait's borders. The following information is largely based on such testimonies.

1. Arbitrary arrests

Hundreds of people are believed to have been arrested in Kuwait by Iraqi forces since 2 August, the majority of whom remain in detention. Amnesty International is unable at present to confirm reports that over 1,500 people (excluding the Western nationals held as hostages in Iraq) are currently in the Iraqi authorities' custody. Estimating the number of detainees is particularly difficult because some detainees were held for short periods, released and then rearrested.

Several hundred Western nationals remain in detention in Baghdad and in other undisclosed locations in Iraq, while others have been prevented from leaving either Kuwait or Iraq. Amnesty International reiterates its view that these detentions are arbitrary and constitute a violation of international human rights norms. The organization continues to urge the Iraqi authorities to release those detained and to allow them to exercise the right to return to their home countries, as well as to grant them consular access in the interim period.

From the third week of Iraq's invasion, the number of Kuwaitis and other nationals being detained by Iraqi forces increased sharply. Hundreds are said to be currently in detention centres or prisons in Kuwait and Iraq. According to information received by Amnesty International, the detainees include men, women and children. Most are being held for their suspected opposition to Iraq's annexation of Kuwait. Eyewitnesses have reported to Amnesty International that schools and other public buildings in Kuwait are being used as detention and interrogation centres. Local police stations and the Juveniles Prison are also being used to hold suspects. Other detainees have been transferred to places of detention in Iraq, notably Baghdad and Basra. According to the accounts of those released, Iraqi military and intelligence personnel have routinely subjected detainees to torture during interrogation while others have been summarily executed (see below).

During the first two weeks of the invasion, relatives of detainees inquired about them from Iraqi military personnel in charge of local police stations. In some instances, the families were informed that the detainees had been transferred to Baghdad, and that all further inquiries should be made to the authorities in Iraq. More recently, however, relatives of detainees have refrained from making such inquiries for fear of being arrested themselves.

Refugees fleeing Kuwait told Amnesty International that Iraqi forces have arrested not only those suspected of armed attacks against them, but also men, women and children found possessing opposition literature, the Kuwaiti flag or photographs of the Amir of Kuwait. Others are said to have been arrested (and in some instances killed) for failing to demonstrate allegiance to President Saddam Hussein. No one interviewed by Amnesty International to date reported that any form of trial or other legal proceedings have been followed by the Iraqi authorities in the cases of the detainees.

2. Torture and ill-treatment

Numerous reports have reached Amnesty International of the routine torture of detainees by Iraqi military and security personnel since 2 August. Methods of physical torture are said to include rape, electric-shock treatment, prolonged beatings on sensitive parts of the body, the breaking of limbs, plucking out hair with pincers, the extraction of finger- and toe-nails, and psychological methods of torture including threats of sexual assault, threats of execution, mock executions and general humiliation and insults.

According to relatives of torture victims interviewed by Amnesty International, 15-year-old boys have been tortured in the manner described above. Although Amnesty International has obtained details of the condition of some former torture victims, the organization is unable (at their families' request) to name them or publish details which may help to identify them.

3. The death penalty

As previously reported by Amnesty International, Iraq's Revolutionary Command Council (RCC) passed a decree on 11 August making the hoarding of food for commercial purposes punishable by death. No executions for this offence have been reported to date. On 14 August, RCC introduced the death penalty for anyone found guilty of looting in Kuwait. The first execution for this offence was reported on 16 August, when a man was publicly hanged in Kuwait City. Eyewitnesses interviewed by Amnesty International reported that the victim, said to be an Iraqi soldier, was executed by firing squad and his body subsequently suspended for public viewing. Ten other people were also executed for the same offence during the third week of August, who included Kuwaiti, Egyptian and Syrian nationals. Their execution was announced on Iraqi television. Since then, RCC has passed another decree introducing the death penalty for anyone harbouring Western nationals. Amnesty International has received the name of a Kuwaiti man reported to have been executed for harbouring an American national in Kuwait. The precise date of execution is not known, but is believed to have been carried out in early September.

Refugees who fled Kuwait in the third week of September stated to Amnesty International that scores of people have also been executed by hanging on the grounds of Kuwait University. The victims were said to be suspected opponents accused of criminal offences and then summarily executed without any form of trial. However, no names or details of such executions have yet reached Amnesty International.

4. Extrajudicial killings

Scores of civilians - men, women and children - are reported to have been killed outside the context of armed conflict. According to eyewitness accounts, boys as young as 15 have been shot in the head and their bodies dumped outside their homes because of their suspected opposition to the Iraqi forces. The possession of opposition literature, the Kuwaiti flag or photographs of the Amir of Kuwait are said to be treated effectively as capital offences. Others have reportedly been executed for refusing to take down photographs of the Amir of Kuwait and to replace them with those of President Saddam Hussein. Doctors who had been working in hospitals in Kuwait in the period following the invasion have told Amnesty International that Iraqi soldiers brought to the hospitals scores of bodies of young men, many of whom had been shot in the head and heart at close range. Iraqi soldiers reportedly forced the doctors to issue death certificates certifying that the victims had died after arrival at the hospitals. The unidentified bodies were then sent to the morgue to await identification by relatives.

Annex II

[Original: English]

Additional information paper issued on 21 August 1990 by
Amnesty International, London

IRAQ/KUWAIT: AMNESTY INTERNATIONAL'S CONCERNS

An immediate news release on Iraq and Kuwait was released yesterday on 20 August 1990 - "Amnesty International appeals to Iraqi authorities on human rights violations" (AI index: MDE 14/13/90).* The following information provides additional information on the concerns outlined in the news release.

1. Arbitrary arrests

A. Foreign nationals

Amnesty International is concerned about the fate of some 13,000 foreign nationals in Iraq and Kuwait who have been banned from leaving the two countries. The Iraqi authorities said on 19 August that such nationals (who include Britons, Americans, French, West Germans, Japanese and Australians) will not be allowed to return home until United States troops withdraw from Saudi Arabia and the economic sanctions against Iraq are lifted. On 19 August, Iraqi authorities told all Western foreign nationals in Kuwait to assemble at three hotels in Kuwait City (the Meridien, the Regency Palace Hotel and the International Hotel). The Iraqi authorities stated that they might be transferred for detention at key military and industrial sites in order to deter military attacks against Iraq. On Monday (20 August), British and French government sources confirmed that 82 Britons and 6 French nationals were moved from hotels in Kuwait on 19 August and taken to unknown destinations. There are in addition some 200 British and United States nationals currently detained in various hotels in Baghdad. They had been transferred there from Kuwait during the first week of the Iraqi invasion. On 21 August, the Iraq authorities confirmed that some foreign nationals had been transferred to military sites in Iraq.

Amnesty International takes the view that these detentions are arbitrary and violate international human rights norms. The Iraqi authorities have said nothing to suggest that these foreign nationals are being held on grounds other than their nationality and as such they should be released immediately and allowed to exercise their right to return to their home countries. They should also be granted consular access in the interim period.

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* See annex III to the present document.

B. Iraqi exiles

Amnesty International is concerned about hundreds of Iraqis living in Kuwait who were reported to have been arrested within days of the Iraqi invasion. They are among an estimated 10,000 Iraqis who were residing in Kuwait. The majority of those arrested are said to be Shiah Muslims with suspected links to the opposition group al-Da'wah al-Islamiyah (Islamic Call), membership of which is a capital offence in Iraq. Amnesty International has received the names of several of them, who include Shiah religious scholars. Amnesty International fears that some of these detainees may have already been moved to Iraq, where they face continued detention and risk torture and execution.

C. Sentenced political prisoners

There has been no confirmation of reports that Iraqi forces had taken into their custody 15 Shiah Muslim prisoners sentenced to death or imprisonment in 1984 after being convicted of bombing the French and American embassies in Kuwait in 1983. The 15 prisoners had been held at Kuwait Central Prison in the Sulaibiyya district of Kuwait City, together with about 49 other political prisoners convicted of offences against the security of the State between 1984 and 1989. The majority are Shiah Muslims and include Iraqi, Kuwaiti, Iranian and Lebanese nationals.

According to information received by Amnesty International on 17 August, all 64 political prisoners, as well as hundreds of others convicted of criminal offences, broke out of the prison on the afternoon of 3 August after realizing that the prison was no longer guarded. Several of the political prisoners are said to have since fled Kuwait, but the majority remain in hiding in the country. Many of them had been opponents of the Iraqi régime and were suspected of having links with al-Da'wah al-Islamiyah. If rearrested by Iraqi forces, they would be at risk of torture or execution. Amnesty International has been informed that in the first few days of the invasion, Iraqi forces seized the files of these detainees and other suspected opponents living in Kuwait from the headquarters of State Security Intelligence (Hawalli district), Criminal Intelligence Department (Salwa district), the Department of Nationality and Passports (al-Shuwaikh district) and the Foreign Ministry. These buildings were subsequently destroyed through bombardment.

2. Torture and other ill-treatment

Amnesty International has received a number of reports that several women in Kuwait have been raped by Iraqi soldiers since 2 August. Such acts of rape constitute torture or other cruel, inhuman or degrading treatment. Amnesty International calls on the Iraqi Government to take immediate steps to prevent further incidents of rape by Iraqi soldiers, to investigate all such incidents and to bring those responsible to justice. One British Airways stewardess and three Filipino women were reported to have been raped during the first week of the invasion.

Amnesty International has also received reports that several Arab and Western nationals have been beaten by Iraqi soldiers after being stopped at checkpoints in Kuwait City. Some were held for several hours and then released. Amnesty International is in the process of gathering first-hand testimony of such incidents.

3. Extrajudicial executions

Amnesty International has also received several reports indicating that Iraqi forces have killed a number of unarmed civilians outside the context of armed conflict. Although in the present circumstances it is difficult to confirm many such reports, Amnesty International is attempting to gather first-hand testimony from individuals who were able to leave Kuwait. In one incident, Iraqi soldiers reportedly fired at a peaceful demonstration by a group of some 35 women and young people in the Jabiriyya district of Kuwait City on 8 August. The demonstrators were protesting Iraq's annexation of Kuwait. An eyewitness who was in the area at the time informed Amnesty International that a 20-year-old girl was shot in the head and later died in hospital, while two boys aged 13 and 16 died instantly after being shot in the head and the heart, respectively. Other civilian casualties were reported at a similar demonstration the following day in the Rumaithiyya district. On 11 August, Douglas Croskery, a British national, was shot by Iraqi soldiers near Kuwait's border with Saudi Arabia as he was trying to flee the country. His body has not been returned to British Embassy officials.

Amnesty International calls on the Iraqi Government to take urgent steps to prevent further extrajudicial executions, to investigate all such incidents, to make the findings public and to bring those responsible to justice.

4. Death penalty

Amnesty International is also deeply concerned about the introduction of the death penalty for additional offences since 2 August. On 11 August, Iraq's Revolutionary Command Council (RCC) decreed that the hoarding of food for commercial purposes became punishable by death, and on 14 August RCC introduced the death penalty for anyone found guilty of looting in Kuwait. Amnesty International opposes the death penalty unconditionally, and for many years has been concerned about the hundreds of executions reported to have been carried out in Iraq each year. Between 1974 and 1986, RCC introduced the death penalty for over 30 offences, including non-violent political activity.

On 16 August, an Iraqi soldier was executed in Kuwait for looting. According to eyewitness reports, his body was publicly displayed by hanging from a crane as an example to others. It is not known whether he received any form of trial.

Annex III

[Original: English]

News release No. MDE 14/13/90 issued on 20 August 1990 by Amnesty International, London

AMNESTY INTERNATIONAL APPEALS TO IRAQI AUTHORITIES ON HUMAN RIGHTS VIOLATIONS

Amnesty International said today (Monday, 20 August 1990) that it is appealing to Iraqi authorities about a wide range of human rights violations in Iraq and Kuwait in recent weeks.

The world-wide human rights organization said it is sending appeals to the central Government, Iraq's representatives at the United Nations and Iraqi ambassadors in a number of key countries.

Amnesty International said it was concerned about plans for the detention of up to 13,000 foreign nationals in Iraq and Kuwait - men, women and children of over 20 nationalities.

There are reports that up to 200 Western nationals are already being held at hotels in Baghdad and that others have been moved from hotels in Kuwait to secret locations, possibly including military and industrial installations in Iraq.

Amnesty International said that holding these foreign nationals was arbitrary and contrary to fundamental internationally recognized standards of human rights. In Iraq, authorities have said nothing to suggest that these foreign nationals are being held on grounds other than their nationality, and as such they should be released immediately and unconditionally and allowed to exercise their right to return to their home countries.

The organization said it was also concerned about reported human rights violations by Iraqi forces in Kuwait, which included rape, extrajudicial killings and summary executions.

Amnesty International said that, although it was impossible at this stage to confirm reports, it had received information about a number of killings of unarmed civilians outside the context of armed conflict. In one incident on 8 August, Iraqi soldiers reportedly fired at a group of some 35 women and young people in the Jabiriyya district of Kuwait City, who were peacefully protesting Iraq's annexation of Kuwait. An eyewitness told Amnesty International that three people - aged 13, 16 and 20 - died after being shot in the head and heart.

Amnesty International, which opposes the death penalty in all circumstances, said it was also concerned that the Iraqi Government has extended the scope of the penalty to include looting and hoarding food. An Iraqi soldier was reported to have been executed on 16 August for looting and his body was hung from a crane as a warning to other looters.

The organization said that it remains concerned about the fate of hundreds of Iraqis living in Kuwait who were reported to have been arrested within days of the invasion of Kuwait by Iraqi troops. The majority are said to be Shiah Muslims with suspected links to the opposition group al-Da'wah al-Islamiyah (Islamic Call), membership of which is a capital offence in Iraq. Amnesty International has received the names of several of those arrested, but there has been no further information about their fate.

Annex IV

[Original: English]

News release No. MDE 14/12/90 issued on 3 August 1990 by
Amnesty International, London

IRAQI GOVERNMENT OPPONENTS ARRESTED IN KUWAIT

Amnesty International said today (Friday, 3 August 1990) that it has received reports that hundreds of Iraqis living in Kuwait and suspected of being opponents of the Iraqi Government have been arrested in the past 24 hours following the invasion of Kuwait by Iraqi troops.

Reports suggest that some of them have already been taken back to Iraq, where they face certain imprisonment and risk torture and, in some cases, execution.

"The Iraqi Government has a record of brutal ruthlessness with its opponents", Amnesty International said. "We fear for the safety, and the lives, of those arrested in Kuwait."

Those arrested apparently include members or supporters of the Iraqi Communist Party and Shiah Muslims with links to the opposition group al-Da'wah al-Islamiyah (Islamic Call), membership of which is a capital offence in Iraq.

Many of the arrests are reported to have taken place in the predominantly Shiah district of Bnaid al-Gar in Kuwait City, where Iraqi security forces apparently conducted house searches and arrested suspected opponents.

The Iraqi Government has been interested in Iraqi political opponents living in Kuwait for some time. In the mid-1980s the Kuwaiti Government is believed to have handed Iraqi nationals over to the Iraqi authorities.

The organization said that Iraq's human rights record shows clearly that government opponents risk extreme violations, including death. Thousands of political prisoners, including prisoners of conscience, previously arrested in Iraq are still in prison. Most are detained without charge or trial or were imprisoned after unfair trials and many have been tortured.

Hundreds of Iraqi Kurds have "disappeared" and several others have been executed after surrendering to the Iraqi authorities under recent amnesties, some after reportedly receiving assurance that they would not be harmed.

The Kuwaiti embassy in Belgium has reported that some 200 Kuwaitis are reported to have been killed during the invasion, although the circumstances of these killings are still unclear.

UNITED
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GENERAL ASSEMBLY
Forty-fifth session
Agenda item 32
THE SITUATION IN CAMBODIA

SECURITY COUNCIL
Forty-fifth year

Letter dated 10 October 1990 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith, for your information, the text of the statement, of the three components of the Cambodian National Resistance, dated 10 October 1990 (see annex).

I should be very grateful if you could have the present letter and its annex circulated as an official document of the General Assembly, under agenda item 32, and of the Security Council.

(Signed) THIOUNN Prasith
Permanent Representative

ANNEX

Statement of the three components of the Cambodian National Resistance dated 10 October 1990

1. Over the past nearly 12 years, the Cambodian people and nation have suffered under the Vietnamese aggression and occupation.

During those 12 years, the countries of the Association of South-East Asian Nations (ASEAN) and the United Nations General Assembly have made every possible effort in trying to seek a comprehensive political settlement to put an end to the Vietnamese aggression and occupation in Cambodia. Everyone knows how the Vietnamese authorities have tried hard to thwart the efforts of ASEAN and to reject the United Nations General Assembly resolutions.

2. The world community has also seen that at the Bangkok meeting, from 17 to 19 September 1990, at the United Nations General Assembly, Hun Sen and Viet Nam have tried hard to raise new conditions so as to destroy the framework document of the five permanent members of the United Nations Security Council, the Jakarta Joint Statement of 10 September 1990 and Security Council resolution 668 (1990) of 20 September 1990. Their main attempt is to block the election of His Royal Highness Samdech Norodom Sihanouk as the Chairman of the Supreme National Council.

3. Hun Sen himself has of late gone so far as to put the blame on Samdech Norodom Sihanouk for hindering the peace process. That is the last straw showing Hun Sen's and Viet Nam's deceitful manoeuvres.

4. The three components of the Cambodian National Resistance would like to reiterate their full and wholehearted support that Samdech Norodom Sihanouk shall be the Chairman of the Supreme National Council, as has been alluded to by the framework document of the five permanent members of the Security Council and reiterated by their Foreign Ministers on 28 September 1990, the Jakarta Joint Statement of 10 September 1990, and Security Council resolution 668 (1990).

5. The three components of the Cambodian National Resistance would also like to call on all the parties to the Cambodia conflict to implement in good faith without delay the framework document of the five permanent members of the Security Council, the Jakarta Joint Statement of 10 September 1990, and Security Council resolution 668 (1990).

6. The three components of the Cambodian National Resistance call for an urgent meeting of the resumed session of the 12 members of the Supreme National Council in order to elect the Chairman of the Supreme National Council.

Bangkok could be the venue of the meeting, if it is convenient to all the Cambodian parties, and approved by the Royal Thai Government, with the possible presence of the Co-Chairmen of the Paris International Conference on Cambodia.

They would like to point out once again that the election of the Chairman of the Supreme National Council should not be linked to other matters and should not be a bargaining issue. If one party sought the right to modify the documents, others would do the same. This would certainly in the end amount to renegotiating the text and would never be able to put an end to the Vietnamese war of aggression and occupation in Cambodia.

In their memorandum of 27 September 1990, the three components of the Cambodian National Resistance have already explained their stance on this matter.

(Signed) SON SANN (Signed) KHIEU SAMPHAN (Signed) NORODOM RANARIDDH

UNITED
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Security Council

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S/21867
10 October 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 10 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the statement issued by the secretariat of the League of Arab States on the massacre committed on 8 October 1990 by the Israeli authorities near the Al-Aqsa mosque.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative
Chairman of the Group of Arab States

Annex

Statement issued by the secretariat of the League of Arab States on the massacre at the Al-Aqsa mosque

The Zionist racist and fascist circles have profited from the Jewish religious festivals in order to try once again to destroy the holy mosque of Al-Aqsa, the first qibla and the third holy Moslem place and to lay the first stone of what they call "the third temple" on the site of this sanctuary.

Faced with these provocations, the Palestinians tried to protect the mosque and prevent its desecration. The Israeli police force and army then intervened and committed a barbarous massacre among the civilian population; so far the casualties amount to 30 dead and a thousand wounded.

Without minimizing the dangers of the uncontrolled racism of the extremist circles, we are bound to observe that the official attitude, statements and justifications are even more serious. There is now no doubt that this fascism which knows no limits is encouraged by the official positions and directives of the Israeli Government itself.

The latest massacre, which is part of the logical sequence of Zionist practices aimed at placing increasing pressure on the inhabitants of the occupied territories in order to compel them to leave their homeland, is proof that the Israeli Government is preparing the ground for its aggressive designs, the aim being to crush the intifadah and to force the Palestinian population to leave so as to clear the ground for the influx of Jewish immigrants.

In order to preserve the higher interests of the Arab peoples and promote the cause of peace, it is therefore necessary to act in order to force Israel to withdraw from the occupied territories and deprive the Israeli leaders, who are endeavouring to build a "greater Israel" in the Arab and Palestinian territories, of any possibility of fulfilling their wild expansionist dreams.

The massacres of which the Palestinians are victims and the policies and statements of the Israeli leaders are creating a dangerous situation which jeopardizes the lives of Arabs and Palestinians and gives free reign to racist tendencies. The League of Arab States urges all States and international organizations to act swiftly to ensure that emergency measures are taken by the Security Council to ensure the international protection needed by the defenceless civilian population of the occupied territories, pending the convening of an international peace conference on the Middle East under the auspices of the United Nations, its objective being to ensure the full withdrawal of Israel from the occupied Arab territories and to enable the Palestinian people to exercise its right to self-determination and found its independent State on its own land. In order to achieve this, the rules of international law and international conventions must be implemented in a non-selective manner and steps must be taken to ensure that the international community supports the Palestinian people.

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GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 10 October 1990 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General

I have the honour to communicate the text of a statement by the Ministry of Foreign Affairs of the USSR dated 9 October 1990.

I request that this letter and the annex thereto should be circulated as an official document of the General Assembly and the Security Council under agenda items 23 and 35.

(Signed) Yuliy M. VORONTSOV

ANNEX

Statement by the Ministry of Foreign Affairs of the USSR
dated 9 October 1990

The Soviet Union expresses its profound concern over the report of a new outbreak of violence in the Palestinian lands. In the clashes in Jerusalem with the Israeli police, who used weapons, dozens of Palestinians were killed or wounded in the course of a single day, 8 October 1990, and hundreds were arrested, including a leading public figure, Faisal al-Husseini.

The USSR firmly condemns this action by the Israeli authorities and believes that the United Nations Security Council must display the same unanimity and sense of purpose in its approach to the situation in the occupied territories as it effectively demonstrated with regard to Iraq's aggression against Kuwait. As a preliminary step we support the idea of sending to the spot a special United Nations mission to investigate the incident.

The events in Jerusalem, which caused the loss of many human lives, exacerbate an already explosive situation in the Middle East region and create additional obstacles to the establishment of a peace process aimed at the search for a generally acceptable settlement of the Arab-Israeli conflict.

They confirm yet again the need for the immediate implementation of far-reaching measures to improve the situation in the Middle East and settle all its existing conflicts, which have a destabilizing effect both on the region itself and on international relations as a whole.

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GENERAL AND COMPLETE DISARMAMENT
COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS
ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF PERIODIC AND GENUINE ELECTIONS
ADMINISTRATIVE AND BUDGETARY CO-ORDINATION OF THE UNITED NATIONS WITH THE SPECIALIZED AGENCIES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY
REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

SECURITY COUNCIL
Forty-fifth year

Letter dated 10 October 1990 from the Head of the Delegation of the Union of Soviet Socialist Republics to the forty-fifth session of the General Assembly addressed to the Secretary-General

I have the honour to enclose the text of the Soviet Union's memorandum "The United Nations in the post-confrontation world".

I should be grateful if you would have this letter and its annex circulated as an official document of the General Assembly, under agenda items 56, 76, 110, 122 and 144, and of the Security Council.

E. SHEVARDNADZE

ANNEX

The United Nations in the post-confrontation world

(Memorandum by the Union of Soviet Socialist Republics)

The uniqueness of the current juncture in world history presents opportunities to multilateral mechanisms for agreeing on the actions of States, and above all to the universal forum, the United Nations. The world's entry into the post-confrontation era, the advent of partnership in place of rivalry and the affirmation of the primacy of law open up unprecedented prospects for a comprehensive demonstration of the peace-making potential of the United Nations in line with the purposes embodied 45 years ago in its Charter.

The Soviet Union welcomes the increasingly vigorous renewal of the United Nations. Our conceptual approach to the strategic role of the Organization in the new structure of international relations is described in the article of 17 September 1987 by M. S. Gorbachev, "Reality and safeguards for a secure world", and in his statement at the United Nations on 7 December 1988.

Recent events confirm the ability of the Organization to act as a stabilizer and regulator of world politics during a period of far-reaching transformations. The further strengthening of multilateralism will serve as an extremely important guarantee of the irreversibility of positive changes, and will promote the emergence of the entire range of international relations into a phase of peaceful and secure development.

Today, we propose the formulation, with the United Nations playing a central role, of an integrated strategy for global partnership for the 1990s and the beginning of the next century. It should be based on the only criteria for planet-wide coexistence - balance of interests and freedom of choice, political realism and responsible behaviour on the part of States, safeguarding of democracy and human rights, mutually advantageous economic co-operation and adherence to openness and the rule of law in strict conformity with the Charter of the United Nations.

In order to build a partnership of this kind, the activity of the Organization needs to be improved in all spheres - military and political, environmental, economic, scientific and technical and humanitarian - and collective answers need to be found to both the traditional and the new challenges of security.

We are convinced that the initial potential of the Organization is far from exhausted, and can be fully released through a post-confrontational reading of its Charter. There can be no disagreement with the Secretary-General's insight that the Charter "gains richer meaning as political evolution progressively enlarges and clarifies the scope of its principles".

What needs to be done is, on the basis of the experience gained in recent months, strengthened by the spirit of co-operation, to adapt the activity of the structures of multilateral diplomacy to the requirements of the emerging phase of world development, to the new "agenda" of mankind. Particular importance in this context attaches to a purposeful enhancement of the performance of the principal organs of the United Nations - the Security Council, the General Assembly, the Economic and Social Council, the International Court of Justice, the Secretary-General and the Secretariat of which he is the head.

The purpose of this memorandum is to set forth the views of the Soviet Union on the functions of the United Nations in these new conditions and on ways of increasing the effectiveness and renewing the activity of United Nations mechanisms in the post-confrontational world.

* * *

1. In recent years, the world community has seen the Security Council taking really significant action. Nevertheless, the task is not simply to build on what has been achieved, but also to advance the Council to a qualitatively different plane of world responsibility. While consolidating the undoubted successes the Council has achieved in resolving regional conflicts, it will be necessary in the future to place greater emphasis on the Council's preventive capabilities, transforming it into a centre for forestalling crises.

Thought might usefully be given to ways of organizing still closer and more regular interaction between the permanent and non-permanent members of the Council, and to establishing day-to-day links between the Council and the Secretary-General, while at the same time enhancing his role.

The recent experience in holding meetings with the participation of ministers for foreign affairs is promising, and needs to be further developed. The Secretary-General's proposal that periodic and possibly closed meetings of the Council should be held to survey the scene in conflict regions and identify new points of danger at which preventive diplomacy may be required is a well-timed initiative. Also timely - especially in the light of recent events - is the idea of holding meetings of the Council away from Headquarters.

It seems to us desirable that the question of the Council's new functions on the threshold of the twenty-first century should be comprehensively discussed at a high political level.

In order to be effective in keeping the peace, the United Nations should also have at its disposal means of neutralizing aggression. In the light of this requirement, the Military Staff Committee should be transformed into an effective organ of co-operation.

Substantive meetings of the Committee should become a regular practice, and a study should be made of the practical aspects of making national troop contingents available to the Security Council on the basis of agreements concluded between the

Council and Members of the United Nations. The Soviet Union is ready to conclude an agreement of this kind with the Security Council. The Military Staff Committee should also - perhaps with the participation of a broad range of States - discuss the entire range of organizational issues connected with counteracting acts of aggression. The timely drafting in the Committee of a model for joint air-sea operations would be particularly important.

These mechanisms could be supplemented by establishing under the Security Council a group of experts on emergency actions to deal with mass hostage-taking, terrorism and cases of blackmail involving the use of highly dangerous types of weapons, including nuclear weapons. The Council could study the question of forming "rapid response" units composed, on a contractual basis, of special contingents from various countries, including the permanent members of the Council.

It would be useful to establish, with the assistance of the Security Council, a multilateral centre for reducing the risk of war. This centre could, among other things, promote continuous exchange of information with the capitals of the States which are permanent members of the Council, and also with the Chairman of the Movement of Non-Aligned Countries, and could enhance the possibilities available to the United Nations Secretary-General for discharging his obligations. Such a centre, under the aegis of the United Nations, could in the longer term be functionally linked with similar structures, first of all in Europe and subsequently in the Middle East and other regions.

It would be in the common interest to expand further the scope of application and preventive capabilities of peace-keeping operations, to strengthen their financial basis, and to secure the active involvement of the permanent members of the Security Council. It would be useful to establish a consolidated register of countries prepared to dispatch their own contingents for service in United Nations forces and to set up a reserve of United Nations armed forces and observers. The Soviet Union is prepared to consider detaching a military contingent and participating in logistical and technological support for United Nations peace-keeping operations.

One long-term course of action would be to organize all-round co-operation between the United Nations and regional organizations, which could provide effective assistance in the formulation of the criteria of sufficiency for defence purposes and in the achievement of a balance of arsenals at the lowest possible levels. It is important to have a deeper understanding of present and future parameters for such co-operation and to give full effect to Chapter VIII of the Charter, on regional arrangements. These purposes would be served by the preparation of a comprehensive study by the United Nations on ways of establishing a regional security structure with the United Nations performing the central role.

2. The United Nations Secretary-General is a major political figure of the present day, enjoying the confidence of the world community and the right to use broad initiative in promoting the maintenance of international peace and the enhancement of the role of the United Nations in all aspects of security.

The effectiveness of the United Nations as a world-wide guarantor of security is directly linked with the availability of up-to-date, exhaustive and objective information. It is therefore necessary to expand significantly the capabilities of the Organization and of the Secretary-General in the field of fact-finding - in the gathering and analysis of information on the actual situation in areas of existing and potential threats to global security, including fact-finding missions, missions of inquiry, and the use of the latest technology.

The practice of appointing special representatives of the Secretary-General to assist in solving critical issues of the present day has justified itself. Obviously the good offices of the Secretary-General would also be useful in the context of a Middle East settlement and the convening of an international conference on the Middle East.

3. Openness must become a universal principle of international life. It would be useful to supplement the international register of conventional-arms transfers being prepared under United Nations auspices with the annual submission to the United Nations of data on the strength of States' armed forces, on the basic types of weapons they possess, and also on the numbers of their troops outside the national territory. In future, a consolidated international military register of this kind could become a subsidiary organ of the United Nations.

The Soviet Union favours a comprehensive approach to the non-proliferation of nuclear, chemical and bacteriological weapons, of missiles and missile technology, and of conventional weapons of mass destruction. We propose the study in the United Nations of the possibility of establishing international machinery for preventing proliferation of the latest types of weapons and of the technology for their production.

4. It is important for the General Assembly to concentrate its efforts on making a radical transition to practical matters and enhancing its effectiveness in the fundamental restructuring of international relations. The Assembly should focus its attention on priority issues of major importance and practical significance. To that end, steps should be taken to reduce, by agreement, the overall number of resolutions it adopts.

General Assembly resolutions should be made effective, particularly by means of consensus. It would be possible to research the question of the significance and legal consequences of consensus in the adoption of General Assembly resolutions.

The standards of conduct being established by the United Nations should become the bench-mark policy for all. It is important that such standards, as embodied in General Assembly resolutions, should be duly considered in the formulation of national policy and domestic legislation.

The possibility should not be ruled out of establishing, where necessary and taking into account the Organization's state of finances, new subsidiary bodies of the General Assembly to tackle the growing transboundary problems of the present day, such as the question of the environment.

5. A universal partnership must become the central point of a global consensus in the economic sphere. A new line of confrontation must not be allowed to develop, this time between North and South.

It is especially necessary at this time to promote the emergence of multilateral economic interaction at a qualitatively new level. Periodic meetings of the Economic and Social Council at the ministerial level to consider major social and economic policy questions would contribute towards this end; eminent scholars, non-governmental organizations and business circles could be involved in the preparation of such meetings.

More effective utilization of the potential of the United Nations and its specialized agencies could be achieved by giving a genuinely universal character to the economic activities of the United Nations, taking into account the realities of contemporary world economic relations and the major decisions adopted at the special session of the General Assembly on economic questions. It is essential, without delay, to intensify efforts to work out mutually acceptable agreements on a proper reform, under new conditions, of the structure of the intergovernmental machinery of the United Nations in the economic sphere and of the corresponding units of the Secretariat. Appropriate recommendations formulated by the Secretary-General, perhaps, jointly with other members of the Administrative Committee on Co-ordination, could provide the impetus for achieving this goal.

The exceptionally complex and global character of scientific and technological progress and its impact in all spheres of international security have once again raised the question of an agreed policy in that area. The United Nations and the organizations and agencies in its system should and must play a leading role in this regard. An urgent need has arisen for the convening, after suitable preparation, of a representative forum, under the auspices of the United Nations, on international aspects of scientific and technological progress.

6. In the environmental sphere, there is a need for the establishment within the United Nations Secretariat of a Centre for Emergency Environmental Assistance, the gradual setting up of outer space observation and the monitoring of the state of the environment. Among other things, questions relating to the improvement of United Nations machinery for dealing with environmental protection problems must be given their proper place at the Conference on Environment and Development to be held in 1992.

7. The United Nations must relate the security of the individual directly to the goal of ensuring the national security of States and international security as a whole. It is important, with the help of the United Nations, to secure the consolidation of the universal concepts of human rights and the implementation in all areas of the whole complex of generally accepted and indissolubly linked standards in that field, and the constant improvement of the procedures and mechanisms of international monitoring in the humanitarian field under the auspices of the United Nations.

The importance from the standpoint of the maintenance of international security of the universal strengthening of the principle and practice of free elections as a means of forming national democratic structures is becoming increasingly evident. Efforts should be made to achieve broader United Nations involvement in the preparation and monitoring of free elections.

8. The strengthening of international co-operation with regard to problems of drug addiction and illicit trafficking in drugs is a topical issue. It is clear that the international community should establish integrated machinery in that area and give greater priority to the question in the work of the United Nations.

9. The competence of the International Court of Justice should be studied in the light of the contemporary situation; the effectiveness of the Court should be enhanced and its significance as one of the key components in the strategy for the peaceful settlement of disputes should be sharply increased. To this end, the opinion of the Court should be requested more frequently on specific legal questions and recognition of its compulsory jurisdiction on mutually acceptable conditions should be accelerated.

The principle of non-aggression should be supplemented by the principle of individual responsibility, and the draft Code of Offences against the Peace and Security of Mankind should be completed as quickly as possible.

10. In the long term, efforts should be directed towards improving the machinery of co-ordination and eliminating duplication within the United Nations itself and its specialized agencies. To this end, the importance of the Administrative Committee on Co-ordination (ACC), as the principal organ for inter-agency co-ordination in the United Nations system, and the role of the Secretary-General of the United Nations, as its Chairman, should be enhanced. The quality of the annual report of ACC on the work of the United Nations system which is currently submitted to the General Assembly should be improved.

Consideration might be given to the idea of involving eminent scholars in the work of the United Nations and of forming a kind of Council of wise men to advise the Secretary-General and to make recommendations regarding the development of international co-operation within the United Nations and throughout the system.

11. It is important to continue to enhance the efficiency of the United Nations Secretariat on the basis of the concept of an independent and highly professional international civil service, taking into account the principle of equitable geographical distribution and the continuing administrative and budgetary reform of the United Nations.

Strict fulfilment by all Members of the United Nations of their financial obligations under the Charter is essential. The Soviet Union intends to practise what it preaches in this regard. At the same time, with a view to establishing a sound basis for the expanding responsibilities of the Organization, consideration

might be given to the use of new non-traditional sources of financing to fund its activities.

* * *

In submitting these proposals for the consideration of the world community, the Soviet Union is counting on a serious and practical exchange of views between all States. Such an exercise is essential, for the foundations of our common future are being laid today.

The strengthening of the multilateral partnership and the effective renewal of its machinery have already become matters of the highest priority on the threshold of the twenty-first century. To turn the United Nations into a kind of collective centre for the administration of international processes in an interdependent and unitary world in the interests of all is a difficult but realistic and noble goal.

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11 October 1990
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LETTER DATED 11 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF TUNISIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to enclose the statement issued by the Council of Ministers of the Tunisian Republic, dated 10 October 1990, regarding the recent events in the occupied Arab territories, in which the President of the Republic launches a pressing appeal to the Security Council to take all practical and urgent measures that will deter Israel and induce it to desist from its arrogant attitude, the blind repression it is carrying out and its contempt for international law and United Nations resolutions.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Ahmed GHEZAL
Ambassador
Permanent Representative

Annex

Communiqué from the Council of Ministers of the Tunisian Republic

This morning, 10 October 1990, at the Palais de Carthage, President Zine El Abidine Ben Ali presided over the regular meeting of the Council of Ministers.

At the conclusion of the discussions, Mr. Ahmed Khaled, Minister of Culture and Information, made the following statement:

"The Council has reviewed the serious situation in the Occupied Territories generally, and in the town of Al-Quds in particular, after the profanation of the Al-Aqsa mosque by the Zionist occupation forces, and has strongly condemned the odious crimes perpetrated by those forces against unarmed Palestinian civilians.

"On this occasion, the President of the Tunisian Republic once again paid tribute to the courage and bravery of the Palestinian people in the heroic struggle they have been waging to defend the sacred places of Islam against Zionist aggression, as it has done before in the case of the holy places of Christianity and in that of Al-Quds.

"The Head of State made an urgent appeal to the Security Council to take all concrete and urgent steps to deter Israel and to induce that country to put an end to its arrogance and its blind repression against the intifadah of the valiant Palestinian people, and its contempt for international law and United Nations resolutions. In so doing, and by treating all issues equally firmly and with the same degree of stringency, the United Nations would enhance its credibility and would be seen to be the true source of international legality and the guarantor of peace and security in the world.

"The Council of Ministers also reaffirmed Tunisia's concern to work towards the restoration of a climate of concord between the Arab brothers and towards joint efforts on their part once again, within the League of Arab States, to deal with all questions within the framework of a frank and loyal dialogue and to promote the various interests and major causes of the Arab nation, the first and foremost of these being the Palestinian cause."

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11 October 1990
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LETTER DATED 11 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Further to our correspondence concerning the inhuman practices being applied by the Iraqi occupation authorities in Kuwait, we transmit herewith the text of an article by Mr. John Cassidy, published in the Sunday Times of 7 October 1990, which contains an account of some of the practices being applied by the Iraqi occupation authorities with a view to the physical and moral liquidation of the Kuwaiti people and Kuwaiti institutions. We have already furnished you with precise details concerning these practices in our letters, particularly those issued as documents S/21843, S/21815, S/21798 and S/21713.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

Annex

BACK TO YEAR ZERO
Saddam eradicates Kuwait but Bush must hold fire
First they took the BMWs - now the Iraqis are looting vital medical equipment. Yet as Kuwait dies, writes John Cassidy,
Saddam remains unchecked

London Sunday Times - Oct. 7, 1990

UNTIL two months ago, Entertainment City was the Disneyland of the Middle East, an oasis of American kitsch 12 miles west of Kuwait City. Tourists from all over the Gulf used to visit Future World, International World and Arab World to ride on the "space needle", the "moon orbitter" and the "atom smasher".

Now the Kuwaiti government-funded $120m pleasure complex, which took six years to build and aped Disneyland in California lies looted an eerie symbol of what has happened to Kuwait since August 2.

Amid the scaled-down models of Big Ben, the Eiffel Tower and the leaning tower of Pisa, there is no sign of life. Entertainment City's Pakistani workers have fled to Jordan; the roller-coasters, carousels and miniature trains have been dismantled and trucked to Baghdad.

Quite what Saddam Hussein wants with the "moon orbiter" is unclear. But it has become war booty, along

with the traffic lights, the lamp posts and crazy-paving stones, the art treasures, newspaper printing presses, forklift trucks, kidney machines, incubators and almost everything else that can be ripped out of the desert kingdom.

Kuwait has fallen victim to the most systematic looting since the 16th century Spanish plundered the New World. According to exiled Kuwait government officials. American experts and other Kuwaiti exiles interviewed by the Sunday Times, the city state is now a mere shell.

Saddam's forces have effectively stripped, depopulated and dehumanised a country which only ten weeks ago vied with Switzerland for the title of the world's richest. They have also terrorised the remaining Kuwaiti population into submission by carrying out mass arrests and executions at the slightest sign of resistance activity.

Possibly the most inhumane incidents reported were the removal of incubators - after the babies in them had been taken out and left to die. Iraqi soldiers reportedly entered the Al Adan hospital in Al Ahmadi, near the Saudi Arabian border, and unplugged incubators supporting the lives of 22 babies many of whom later died.

The facts of that alleged incident remain undocumented, but another was recounted in convincing detail in London last week.

Dr. Mohsin Yousof, professor of medicine and cardiology at Kuwait hospital who escaped from Kuwait just after the Iraqi invasion said that twin premature baby boys born to a Kuwaiti woman who had tried for 15 years to become pregnant died after being removed from their incubators by Iraqi soldiers.

Yousof said that a doctor known to him had stated in writing that he witnessed the incident at a maternity hospital. "The mother was told to take the babies home," said Yousof. "The day after, the babies died". He said the information was given to him during a meeting with the Kuwaiti doctor in Bahrain.

Yousof said the removal of incubators and other advanced medical equipment such as kidney dialysis machines was part of a move by Saddam to "pillage the country." The Iraqi have also taken x-ray machines, surgical equipment, blood banks and radiotherapy machines needed to treat cancer patients. "Doctors are now having to act under the orders of Iraqi soldiers. The military

has now taken over all the country's hospitals," Yousof said.

Another exiled Kuwaiti doctor produced a written testimonial from a colleague who recounted what happened when he tried to help a young member of the Kuwaiti resistance who has been taken to hospital with multiple injuries.

"The Kuwaiti doctor realised that the boy was gasping for breath - obviously somebody had switched off his oxygen. He quickly switched it back on and the boy improved a little as he sat beside him. An Iraqi doctor observed him doing that. He was taken to a side room and was told quite blatantly, I advise you not to spread this information to any of the news media, or you will face serious consequences."

"Next morning the Kuwaiti doctor went into the hospital and found the boy dead. The oxygen had been switched off again."

For George Bush, grapling now with tough domestic problems as well as the Gulf crisis, such horror stories are a terrible test of his resolve not to move his troops against the Iraqis in Kuwait untill all economic and diplomatic efforts to remove them have been exhausted.

His critics complain that by the time he does go to the rescue the last shred of Kuwaiti national identity will have vanished. And Brent Scowcroft, Bush's national security adviser, said last week that "there is no question that what is happening inside Kuwait affects the timetable" for deciding whether sanctions have failed.

This comment set off a frenzy of press speculation about whether Bush was on the verge of turning to the military option. But "Scowcroft's comments were not intended to signal a departure from our basic policy," said a senior American official. "That remains the same". As revealed in The Sunday Times last week, the White House's strategy is to try to outlast Saddam while sanctions take effect.

Bush's speech at the United Nations last week was interpreted as a further clear indication of his own reluctance to adopt the early use of force. The president told the UN he wanted a peaceful outcome to the crisis, and he raised the prospect of an Arab Israeli settlement if Saddam withdrew from Kuwait.

This was intended as a minor concession to Saddam and a spur to diplomacy, and it was echoed later in the week by Douglas Hurd.

Despite the disastrous situation in Kuwait, Bush's advisers see the next few weeks as a period when diplomacy will be given its head. The consider it exhaust all non-military possibilities before looking at other options.

Even if Bush wanted to consider using force, he could not do so for some time yet. "D-Day", the date at which Bush will have all his military options available, is slipping back by the week.

A month ago, the Pentagon said it would be ready by October 15. This date has now been put back a month, and some are saying no offensive action could be taken before December 1, the date by which the British and French forces will be fully deployed and acclimatised.

The only action likely to be taken against Saddam in the near future is a UN resolution calling for reparations to be paid to Kuwait after any settlement, an idea proposed by Margaret Thatcher in New York last week, But, according to British officials, this resolution will not mention the possible use of military force. If it did, they fear, it would be vetoed.

The Iraqi dictator seems very pleased with the

situation. Visiting Kuwait last week for the first time since the invasion, he publicly taunted the American president "Bush can't do what he says," he told his troops, brushing off threats of an American invasino. "Have you seen anybody walking around here who looks like an American?"

Saddam's portrait appears on most public buildings, and a large statue of him greets visitors at the gateway to Kuwait City - a roundabout just west of the business area.

While his men strip Kuwait of its economic identity, his soldiers and secret police have terrorised the population into submission. According to an Amnesty International report released last week, Saddam's forces are guilty of "widespread arrets, interrogation under torture, summary executions and mass extrajudicial killings."

Kuwaiti officials say the Iraqi resorted to brute force because the Kuwaiti resistance, aided by covert American and Saudi Arabian operations, was initially highly successful each responsible for distributing food and attacking Iraqi forces in its area. According to Kuwaitis they originally fought door-to-door battles,

inflicting heavy casualties on the Iraqis. But in the past few weeks the Iraqis have turned their tanks on any building from which guns are fired, and have started randomly executing youths from resistance areas. At one point, resistance workers were discovering up to a dozen Kuwaiti bodies each morning, most shot at close range.

Hundreds of Kuwaitis have also been arrested and tortured. According to Amnesty International: "Some have been given electric shocks or suffered prolonged beatings. Others had their limbs broken their finger and toe nails pulled out, and were threatened with sexual assault or execution."

These Iraqi terror tactics led local leaders to appeal to the exiled Kuwaiti government to call off the resistance attacks because of the reprisals they were provoking, and last week it agreed to order a radical reduction in activities.

Iraqi forces are arresting not only those suspected of armed attacks, but also any men, women and children found with Kuwaiti literature. The Iraqis have ordered each Kuwaiti family to hang a picture of Saddam in its home. Refusal to comply is in some cases being treated as a capital offence.

Iraq's actions have reduced Kuwait's population from 1.9m before the invasion to about 500,000. Some 250,000 of the kingdom's 600,000 citizens have fled, along with the vast majority of the 1.3m foreign residents.

About the only things still working in Kuwait City are the water and electricity plants. Factories and offices are at a standsitll. The Kuwaiti currency, the once mighty dinar, is no longer legal tender. Kuwaiti driving licenses, identity cards and car license plates have all been cancelled. Kuwaitis must obtain Iraqi citizenship before the end of this be littel recognisable left of Kuwait anyway.

The pillage of Kuwait took place in two stages. In the aftermath of the invasion, Saddam's troops sacked the obvious targets, including the royal palace, the Treasury, the Central Bank, and the Kuwait National Museum. They also raided department stores and luxury car showrooms.

In the past month, according to Kuwaiti officials and exiles, the looting has become a systematic dismembering of the private and public institutions that used to make Kuwait a moder technological society.

Schools, research institutes, libraries and

hospitals have been carried. Kuwait University has been turned into the headquarters of the Iraqi secret police. According to Amnesty International, the campus has become the execution ground for scores of people suspected of opposing the invasion.

Factories have been looted, as have many office blocks. Kuwait City's seven newspapers - five Arabic and two British - were stripped of printing presses, computers and newswire machines. Local television and radio stations received the same treatment. As a result, there are no news media in Kuwait. Most residents rely on broadcasts in Arabic by the BBC World Service.

About the only significant industrial structures that have not been plundered are the Kuwaiti oil wells. But there are unconfirmed reports that they have been fitted with plastic explosives in case of an American attack.

With little left to steal that is not nailed down, the Iraqi have turned their attention to Kwuait's fixtures and buildings. According to Kuwaiti sources, at least one oil pot is being steadily stripped.

Meanwhile, thousands of Iraqi and Palestinian families are streaming south to fill vacant Kuwait City

apartments.

The exiled government, based in Taif, Saudi Arabia, has a complete copy of its citizenship records but it would still have great difficulty ejecting the "new" Kuwaitis if it ever returned to power. An act of physical and social engineering also means that nothing short of the total reconstruction of the country will be necessary.

"It will be like starting from zero," said Al Massar, the secretary-general of the Kuwaiti cabinet. "It will take a hell of a lot of time, effort and goodwill to put the country together again." That is for the future. In the meantime he is waiting to hear if the "moon orbiter" appears in Baghdad. "It will be interesting to see where it springs up," he said.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21872
12 October 1990

ORIGINAL: ENGLISH

LETTER DATED 27 SEPTEMBER 1990 FROM THE MINISTER FOR EXTERNAL AFFAIRS OF BOTSWANA ADDRESSED TO THE SECRETARY-GENERAL

I acknowledge receipt of your communication of 8 August 1990 transmitting the text of resolution 661 (1990), which was adopted by the Security Council at its 2933rd meeting on 6 August 1990.

The Government of Botswana wishes to convey to you the following information on the measures adopted in pursuance of the provisions of the resolution.

1. The Government of Botswana is in total support for and compliance with United Nations Security Council resolution 661 (1990). The Government of Botswana also fully subscribes to the other Security Council resolutions (660 (1990), 662 (1990), 664 (1990) and 665 (1990)).

2. The Government of Botswana advises, however, that implementing the measures of the resolution will have some adverse economic implications for Botswana. A memorandum outlining these implications will be submitted in due course.

(Signed) G. K. T. CHIEPE
Minister for External Affairs

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UNITED NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/45/628
S/21873
15 October 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 12 October 1990 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the text of a statement issued by the Greek Ministry of Foreign Affairs on 9 October 1990, regarding the tragic incidents that occurred in Jerusalem on 8 October 1990 (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under agenda items 23 and 35, and of the Security Council.

(Signed) Antonios EXARCHOS
Ambassador

ANNEX

Statement issued by the Ministry of Foreign Affairs of Greece
at Athens on 9 October 1990

The Greek Government strongly deplores and condemns the bloody incidents that occurred in Jerusalem. These incidents are particularly grave and dangerous since, according to first reports, armed Israelis burst into the Holy Shrine of Al-Aqsa and opened fire on unarmed Muslims, killing a large number of them.

Anyone interested in the cause of peace and justice in the region cannot but feel painful surprise and revulsion at the outburst of violence, not only because it involved innocent human victims, but also because it charges an already dangerously tense situation in the Middle East, particularly at this critical juncture.

The Greek Government is concerned over the fact that a responsible Government allowed for such incidents to occur, which offend one's sense of justice and humanness, as well as of religious tolerance, which is necessarily interwoven with the place in which three religions - Christianity, Islam and Judaism - have coexisted for centuries.

UNITED
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Security Council

Distr.
GENERAL

S/21874
15 October 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 15 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I should like to provide you with details of the act of piracy and aggression committed against the tanker Tadmur. The incident took place as follows:

1. The tanker set out from the port of Aqaba on 26 September 1990 at 0220 hours local time. At about noon on the following day, 27 September 1990, the tanker was pursued by United States, French and British naval units accompanied by helicopters. The captain was given instructions to halt for inspection and, at 1500 hours on 27 September 1990, the tanker was boarded and an inspection carried out. At 1600 hours, the tanker resumed its course, heading for the port of Basra.

2. On the morning on 8 October 1990, while the tanker was sailing in the Gulf of Oman, it was pursued by three United States, two British and several Australian naval units, which surrounded it at a distance of 50 metres. At 1300 hours on 8 October 1990, eight soldiers were lowered onto the deck of the tanker by helicopter and were joined by 12 others. The soldiers were British and Australian. The captain was requested to head for one of the Gulf ports for purposes of inspection. When the captain refused to follow instructions, he was informed that the instructions prohibited navigation to the ports of Iraq, Kuwait and Jordan. Although held at gunpoint, the captain did not comply with the instructions and continued to sail towards the port of Basra. Despite all efforts, at 1300 hours on 9 October 1990, communication with the tanker was lost.

3. After communications were re-established with the captain of the tanker, he stated that United States, French and British naval units accompanied by aircraft had detained the tanker Tadmur at gunpoint as it was drawing towards the port of Muscat and had arrested the captain and the crew. When the inspection procedures had been completed, the foodstuffs intended for the provisioning of the crew had been confiscated and, at 0500 hours on Thursday, 11 October 1990, the tanker had been set free. During its stay in the port of Muscat, the tanker's provisions had been returned by the naval units. On its way back to Iraqi ports, other naval units had surrounded it and commando forces with weapons drawn had been lowered

onto the deck of the tanker. The provisions returned to the vessel had been taken once again. These forces had then left the vessel.

The Iraqi Government once again lodges a strong protest at and expresses its condemnation of the acts of piracy and aggression carried out by foreign forces against Iraqi tankers. It calls upon the international community to take adequate measures to prevent such acts of aggression.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21875
15 October 1990

ORIGINAL: ENGLISH

LETTER DATED 12 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF PAKISTAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In a letter dated 14 September (S/21776), I had conveyed to the President of the Security Council a memorandum on economic and financial impact on Pakistan resulting from the restrictions on economic relations with Iraq and Kuwait, pursuant to Security Council resolution 661 (1990). In that memorandum it was estimated that as a result of these restrictions, Pakistan's current-account deficit would increase by about $1 billion in 1990/91.

Since then, the price of oil and related products has increased considerably. It is estimated that as a result of these increases, Pakistan would now have to pay an extra $1,596 million during the current financial year for oil imports alone, as shown in the following table:

Petroleum, oil and lubricants (POL) imports

	Budget	Projections
Crude oil		
Value (millions of dollars)	470.0	915.0
Volume (millions of barrels)	27.7	27.7
Price (dollars per barrel)	17.0	36.0
Fuel oil		
Value (millions of dollars)	161.0	317.0
Volume (millions of tons)	1.9	1.9
Price (dollars per ton)	85.0	173.0

	Budget	Projections
Others		
Value (millions of dollars)	673.0	1 668.0
Volume (millions of tons)	4.2	4.2
Price (dollars per ton)	160.0	397.0
Freight (millions of dollars)	10.0	10.0
(millions of dollars)	1 314.0	2 910.0

Thus, as a result of loss of exports to Iraq and Kuwait ($100 million), a drop in home remittances ($300 million), expenditure on repatriation of Pakistanis from Kuwait and Iraq ($70 million), and oil price increases ($1,596 million), Pakistan's current-account deficit will increase by approximately $2 billion in 1990/91. Consequently, Pakistan would need additional assistance of over $2,100 million by way of quick disbursing aid to support the deteriorating balance-of-payments position and for the evacuation of Pakistanis from Kuwait and Iraq.

(Signed) Jamsheed K. A. MARKER
Ambassador and Permanent Representative

UNITED
NATIONS

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General Assembly Security Council

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A/45/631
S/21876
15 October 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 12 October 1990 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

I have the honour to communicate the text of a press release issued by the Government of Pakistan dated 8 October 1990 (see annex).

I should be grateful if you would arrange to have the present letter and its annex circulated as an official document of the General Assembly, under agenda items 23 and 35, and of the Security Council.

(Signed) Jamsheed K. A. MARKER
Ambassador and Permanent Representative

ANNEX

Press release issued by the Government Of Pakistan
on 8 October 1990

The Government and the people of Pakistan are appalled by the brutal, inhuman and senseless orgy of violence resorted to by the Israeli army and extremist settler groups against unarmed civilians on 8 October 1990 in the Holy City of Jerusalem in which 22 Palestinians were martyred and more than 200 wounded. Israel's continued disregard of human rights and callous attitude towards international public opinion deserves condemnation in the strongest possible terms.

We call upon the international community to raise its voice against this outrage and to initiate appropriate actions to restrain Israel from blatantly violating norms of human values.

We extend our sincere and heartfelt condolences to the bereaved families and pray for the early recovery of those wounded.

UNITED
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General Assembly Security Council

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A/45/632
S/21877
15 October 1990
ENGLISH
ORIGINAL: ENGLISH AND
FRENCH

GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 12 October 1990 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

I have the honour to transmit the text, in English and French, of the EC statement on the recent incidents in Jerusalem, issued on 9 October 1990 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda items 23 and 35, and of the Security Council.

(Signed) Vieri TRAXLER
Ambassador

ANNEX

Statement on the recent bloody incidents in Jerusalem

The Community and its member States have learned with dismay the news of the bloody incidents that have taken place in Jerusalem causing such a high toll of Palestinian dead and of injured persons.

The Community and its member States consider unacceptable, and once more strongly deplore, the use of excessive force by the Israeli occupying forces in repressing Palestinian demonstrations, against a background of repeated violations of international law, in particular as regards the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.

The tragic events in Jerusalem underline once again the need for a settlement of the Palestinian problem in accordance with justice.

The Community and its member States reaffirm their commitment to a just, comprehensive and lasting solution to the Arab-Israeli conflict and to this end they support the principle of the convening of an International Peace Conference on the Middle East under the auspices of the United Nations.

UNITED
NATIONS

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Security Council

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GENERAL

S/21878
15 October 1990

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL

The attached letter, dated 20 September 1990, was addressed to the Secretary-General by the Permanent Observer of San Marino to the United Nations.

Annex

Letter dated 20 September 1990 from the Permanent Observer of San Marino to the United Nations addressed to the Secretary-General

I have the honour to inform Your Excellency that in response to your note SCPC/7/90(1-2) of 27 August 1990 concerning the grave Iraq-Kuwait situation, the Government of the Republic of San Marino has issued the attached bulletins:

(a) One by the General Council of the Republic of San Marino condemning President Saddam Hussein's aggression and violation of the sovereignty of a State;

(b) One by the President of the European Council Ministers Committee, Mr. Gabriele Gatti, in conjunction with the President of Parliament, Mr. Anders Bjorck, and the Secretary-General, Ms. Catherine Lalumière, of the same organization, to express their concern over the fate of foreign citizens in Kuwait and Iraq.

Also attached is a copy of a letter I received from the Minister for Foreign Affairs of the Republic of San Marino, Mr. Gabriele Gatti, dated 12 September 1990, asking to notify the Republic of San Marino's position regarding the Middle East crisis, as well as make it known that the Republic of San Marino does not have any kind of relations or official rapport with Iraq.

(Signed) Ghazi M. AITA
Ambassador
Extraordinary and Plenipotentiary

Enclosure 1

Bulletin issued by the Ministry of Foreign Affairs of San Marino on 21 August 1990

The Secretary of State for Foreign Affairs, Gabriele Gatti, President of the European Council Ministers Committee, the President of the Parliamentary Assembly of the same organ, Anders Bjorck, as well as the Secretary-General, Catherine Lalumière, have jointly issued a note with which they express "their deep concern over the fate of foreign citizens in Kuwait and in Iraq".

The note further condemns the Iraqi régime's attitude towards these foreign citizens which uses them as "human shields", in an open act of violation of international law and of the most elementary human rights. Gatti, Bjorck and Lalumière request that, in applying the resolution adopted on 18 August by the United Nations Security Council, Iraq authorize and facilitate the departure of these citizens of third countries from Kuwait as well as Iraq itself, permitting them immediate and continuous contact with their own consular agents.

The three officials of the European Council also launch a solemn appeal to the Iraqi régime to respect human rights and humanitarian rights in general.

Enclosure 2

Bulletin issued by the General Council of San Marino on 7 September 1990

AGENDA

After a vast and profound analysis of the international crisis provoked by Iraq's occupation of Kuwait, the High and General Council,

- Emphatically condemns President Saddam Hussein's aggressive action and consequent violation of the sovereignty of a State;

- Deplores the invading country's choice to use as instruments of pressure and blackmail foreign citizens not involved in any way in the controversy;

- Considers contrary to the rules of international law the limitations imposed by the Iraqi régime on the exercise of diplomatic functions;

- Judges Iraq's head of State exhorting the Arab peoples to a holy war improper and dangerous.

The High and General Council, while soliciting the withdrawal of the invading troops from the occupied country, the restoration of order and full exercise of the violated sovereignty, requests that the rights of the foreign citizens present in the two States be respected and their departure be facilitated.

The High and General Council reconfirms its position that a negotiated instrument is the only method to arrive at a solution to these controversies and expresses the hope that favourable conditions may be reached in the near future for mutual respect in human society in the Middle East area, which has been involved in situations of conflicts and of crises for far too long, keeping in mind the need not to procrastinate the restoration of equilibrium between the reality of the North and the South of the world.

The High and General Council appreciates the positive attitudes of collaboration and of consultation expressed by a large number of members of the international community, strengthened by the resolutions adopted by the United Nations Security Council. It is our hope that these attitudes be translated into practical constant relations in every issue involving peoples' rights and the interest of the peaceful development of all States and peoples.

The High and General Council, while sharing in the appeal for respect for human rights jointly with the President of the Ministers Committee, the President of the Parliamentary Assembly and the Secretary-General of the European Council, expresses the desire of the Government of San Marino to continue, in all its international representations, to strive towards peace and respect of human rights in this sensitive area of the world.

Enclosure 3

Letter dated 12 September 1990 from the Secretary of State of San Marino addressed to the Permanent Observer of San Marino to the United Nations

With reference to the United Nations Secretary-General's letter dated 27 August 1990, I shall be very grateful if you will kindly notify that the Republic of San Marino has taken a position with regard to the very grave invasion of Kuwait by Iraq with a note issued jointly by the President of the Ministers Committee (Secretary Gatti), the President of the Parliamentary Assembly and the Secretary-General of the European Council issued on 21 August 1990 as well as an agenda adopted by the High and General Council at the meeting of 7 September.

In notifying the above please make it also known that the Republic of San Marino does not have any kind of relations with Iraq, with which we do not even have official relations.

(Signed) Gabriele GATTI
Secretary of State

UNITED NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/45/635
S/21879
17 October 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda item 29
THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

SECURITY COUNCIL
Forty-fifth year

Report of the Secretary-General

1. The present report is submitted in pursuance of General Assembly resolution 44/15, which was adopted without a vote on 1 November 1989. In that resolution, the General Assembly requested the Secretary-General to keep Member States and the Security Council informed of progress towards the implementation of the resolution and to submit to the Assembly at its forty-fifth session a report on the situation in Afghanistan, on the progress achieved in the implementation of the Agreements on the Settlement of the Situation Relating to Afghanistan, 1/ concluded at Geneva on 14 April 1988 (hereafter referred to as the Geneva Accords), and the political settlement relating to Afghanistan.

2. I have reported regularly to the General Assembly and the Security Council on the progress in the implementation of the Geneva Accords, as well as on the operation of the United Nations Good Offices Mission in Afghanistan and Pakistan (UNGOMAP) (A/43/720-S/20230, A/44/661-S/20911 and S/20465).

3. After consulting the parties to the Geneva Accords - on whose behalf I had approached the Security Council in April 1988 (S/19834 and S/19835) in order to obtain its consent to deploy United Nations military personnel in the region - in a letter dated 9 January 1990 addressed to the President of the Security Council (S/21071), I sought the concurrence of the Council to extend the temporary detachment of military officers to Afghanistan and Pakistan beyond the 20 months envisaged in the Accords, which was coming to an end on 15 January 1990. In its resolution 647 (1990) of 11 January 1990, the Security Council, recalling its resolution 622 (1988) of 31 October 1988, confirmed its agreement to the measures envisaged in my letter and extended the temporary deployment of the military officers concerned to assist in the mission of good offices for a further period of two months - up to 15 March 1990.

4. In my letter dated 12 March 1990 (S/21188), I informed the President of the Security Council that my consultations with the signatories of the Geneva Accords had indicated that a further extension of the existing arrangements would not meet with the necessary consensus. Accordingly, the arrangements for UNGOMAP came to an end on 15 March 1990.

5. Up to 15 March 1990, UNGOMAP continued to discharge its mandate pursuant to the Geneva Accords, monitoring the implementation of all aspects of the Geneva Accords, and providing good offices to the parties to the Accords. UNGOMAP continued to receive numerous complaints, from each party against the other, of alleged violations of the first instrument of the Geneva Accords, namely, the Bilateral Agreement between the Republic of Afghanistan and the Islamic Republic of Pakistan on the Principles of Mutual Relations, in Particular on Non-Interference and Non-Intervention. By the end of its mandate, UNGOMAP had received 1,168 notes verbale from Afghanistan, containing a total of 7,545 specific complaints alleging violations by Pakistan of the Geneva Accords. On its part, Pakistan had submitted 211 notes verbale containing a total of 1,317 specific complaints of alleged violations by Afghanistan. Most of the complaints lodged by the two parties fell into the categories already indicated in my reports to the General Assembly at its forty-third and forty-fourth sessions (see A/43/720-S/20230, para. 22, and A/44/661-S/20911, para. 5).

6. Despite the constraints and a number of difficulties encountered in the course of its operations from the outset, UNGOMAP spared no effort to investigate the complaints lodged by the two parties. By 15 March 1990, UNGOMAP had submitted to the two parties 102 reports on numerous inspections regarding the complaints, and the two parties had held 15 joint meetings under the auspices of UNGOMAP to consider the inspection reports, as provided for in the fourth instrument of the Geneva Accords, namely, Agreement on the Interrelationships for the Settlement of the Situation Relating to Afghanistan. The venue of the joint meetings alternated between the two UNGOMAP headquarters units in Islamabad and Kabul. Since the end of the arrangements for UNGOMAP on 15 March 1990, Afghanistan has continued submitting to the Office of the Secretary-General in Afghanistan and Pakistan (OSGAP) notes verbale containing complaints on alleged violations of the Geneva Accords by Pakistan, copies of which have been submitted by OSGAP to the Government of the Islamic Republic of Pakistan.

7. The number of military officers who served with UNGOMAP was 40. They were detached from existing United Nations operations, namely, the United Nations Truce Supervision Organization (UNTSO), the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL). The military officers, equally distributed between the two UNGOMAP headquarters units in Islamabad and Kabul, comprised the following number from 10 nationalities: Austria, two; Ghana, six; Canada, three; Ireland, five; Denmark, four; Nepal, six; Finland, two; Poland, four; Fiji, five; and Sweden, three. There was virtually no change in the small civilian auxiliary staff deployed at the two headquarters units.

8. With regard to the implementation of the third instrument of the Geneva Accords, namely, the Bilateral Agreement between the Republic of Afghanistan and

the Islamic Republic of Pakistan on the Voluntary Return of Refugees, UNGOMAP co-operated closely with the Office of the United Nations High Commissioner for Refugees (UNHCR). The continued differences between the two parties to the Accords regarding the interpretation of article IV of the third instrument have prevented the establishment of the mixed commissions envisaged therein. Efforts to bring an understanding on that question have continued.

9. Despite the setback in establishing the formal mechanisms foreseen in the Geneva Accords, a number of measures have been taken during the current year to begin providing direct assistance to a significant number of refugees already returning voluntarily to Afghanistan. Through the dedicated efforts of the High Commissioner for Refugees, Mr. Thorvald Stoltenberg, the voluntary repatriation assistance programmes are being implemented in Pakistan and in Afghanistan by UNHCR, in close co-operation with the Office of the United Nations Co-ordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan (UNOCA) and the World Food Programme (WFP).

10. The Government of Pakistan, UNOCA, UNHCR and WFP agreed to launch a voluntary repatriation project on an experimental basis for a period of three months that started at the end of July 1990. This pilot project is being implemented in 10 different locations along Pakistan's border with Afghanistan and involves the provision of a repatriation grant in the form of cash for transport and food in exchange of the refugee family's ration passbook. By the end of September, close to 10,000 families, or about 50,000 refugees, had already benefited from the scheme. It has now been agreed to extend the project up to February/March 1991.

11. Throughout 1990, UNHCR has also been providing direct and individual support to an estimated number of 15,000 Afghan returnees passing through reception and transit centres established by the Government of Afghanistan in the cities of Herat, Mazar-i-Sharif and Kabul. Transport and food assistance is being provided jointly by UNHCR and WFP following interviews with the returnees. Progress is also being made by the United Nations agencies concerned in providing assistance to the internally displaced persons who are beginning to return to their villages of origin in increasing numbers. In a parallel effort to create conditions conducive to further voluntary repatriation, a temporary presence has been established by the United Nations in the provinces of Herat, Kandanar, Kunar and Paktika.

12. With regard to the United Nations humanitarian and economic assistance programmes relating to Afghanistan, I am pleased to report a significant expansion in the activities of the United Nations system during the year. Through the dedicated efforts of my Co-ordinator for United Nations Humanitarian and Economic Assistance Programmes Relating to Afghanistan, aid commodities reached the needy Afghans in practically every province of the country in spite of logistic and other difficulties.

13. Currently there are over 400 United Nations projects and sub-projects inside Afghanistan, 121 of which have been completed, 246 are under implementation, while over 50 are in the pipeline. They cover aspects of economic and social life ranging from mine clearance activities to agriculture, health, education and

restoration of physical infrastructure. While emergency assistance continues to be needed by vulnerable sections of the population, experience gained during the year by the United Nations agencies clearly demonstrates that reconstruction work can be undertaken in earnest in most parts of the country.

14. The problem of acute food shortages in some areas, as noted last year, is now in large measure under control. The efforts of the Co-ordinator to open new routes in order to reach, in a speedy and cost-effective manner, the needy people, particularly in the northern and western regions, have yielded encouraging results. With the collaboration of WFP, 55,000 MT of food have been delivered in the north, while sizeable stocks have been pre-positioned in the neighbouring southern areas. Simultaneously, increased activity by the Food and Agriculture Organization of the United Nations (FAO) to provide seeds and fertilizer has led to bumper crops. Provinces such as Kunar, Paktika and Kandahar, where the United Nations has been active, are now self-sufficient in food. The serious problem of locust and sun pest has also been addressed and it is expected that next year important quantities of grain can be rescued in the infested northern provinces.

15. Commendable efforts are also being made by the United Nations Development Programme (UNDP), as well as by the United Nations specialized agencies and programmes, notably the International Labour Organisation (ILO), FAO, the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the World Health Organization (WHO), in addition to the United Nations Children's Fund (UNICEF) and the United Nations Fund for Drug Abuse Control.

16. In addition to the United Nations offices in the Islamic Republic of Iran, Pakistan and the Union of Soviet Socialist Republics, the United Nations presence within Afghanistan has been considerably strengthened by the Co-ordinator. Besides Kabul, United Nations staff members are stationed in various provinces to facilitate the delivery of aid, to monitor its distribution and to initiate rehabilitation projects. These include at present the provinces of Badakhshan, Balkh, Bamyan, Herat, Kunar, Paktika, Kandahar and Takhar. Further expansion in which the United Nations Volunteers Programme is playing an increasingly useful role, is foreseen in the coming months. Even though the ongoing fighting and related security hazards for the United Nations staff continue to be a matter of serious concern, it is clear that the efforts in the humanitarian and economic fields can and must be sustained and strengthened.

17. In financial terms, the response to the appeal I launched in October 1988 now stands at $US 1,029 million. However, the imbalance between contributions in cash and in kind, as well as the high proportion of contributions earmarked for specific purposes, as noted last year, continued to affect operational flexibility.

18. In paragraph 10 of its resolution 44/15, the General Assembly requested the Secretary-General to encourage and facilitate the early realization of a comprehensive political settlement in Afghanistan in accordance with the provisions of the Geneva Accords and of resolution 44/15.

19. In my report to the General Assembly at its forty-fourth session (A/44/661-S/20911, paras. 23-32), I provided an account of my efforts towards the realization of a comprehensive political settlement in Afghanistan, pursuant to my mandate under General Assembly resolution 43/20 of 3 November 1988.

20. In a letter dated 12 March 1990 to the President of the Security Council (S/21188), I informed the President of my intention to redeploy a limited number of military officers as military advisers to my Personal Representative in Afghanistan and Pakistan to assist in the further implementation of the responsibilities entrusted to me by General Assembly resolution 44/15 and, in particular, its operative paragraph 10. I also informed the President that the military officers would be detached temporarily from existing United Nations operations, with the concurrence of their respective countries. In a letter dated 28 March 1990 from the President of the Security Council (S/21218), I was informed that my letter was brought to the attention of the members of the Council, who had no objection to the action I had proposed.

21. On 15 March 1990, I established the Office of the Secretary-General in Afghanistan and Pakistan (OSGAP) in order to further intensify my efforts for a comprehensive political settlement. I did so, bearing in mind the mandate given to me and the call for a larger United Nations role in the solution of this problem. OSGAP is headed by my Personal Representative in Afghanistan and Pakistan, Mr. Benon Sevan. It is organized into two small headquarters units - one in Islamabad, with a sub-office in Peshawar, and one in Kabul. The Military Advisory Unit of OSGAP, comprised of 10 military advisers, one each from Austria, Canada, Denmark, Finland, Fiji, Ghana, Ireland, Nepal, Poland and Sweden, provides the Personal Representative of the Secretary-General with the military advice required to assist him in the further implementation of the responsibilities entrusted to the Secretary-General. The Military Advisory Unit is responsible for the provision of military expertise, as required; the maintenance of a continued assessment of the security situation in Afghanistan; and elaboration and updating of plans for military support to a possible increased future United Nations involvement in Afghanistan. The military advisers are organized in two small units in Islamabad and Kabul, with some of the military advisers in Islamabad rotating between Islamabad and Peshawar. The organizational arrangements of OSGAP are essential in order to remain in constant touch with all segments of the Afghan society and to obtain the minimum knowledge of that complex political and military reality which is needed if my mandate is to be carried out.

22. The expenses of OSGAP are met from the regular budget of the United Nations. At the time of the establishment of OSGAP, I requested the Governments of the Republic of Afghanistan and the Government of the Islamic Republic of Pakistan to continue, similar to the undertaking they had made for UNGOMAP, to bear the local operating cost of OSGAP.

23. I am pleased to report that the support and co-operation from all concerned, particularly from the two host Governments, namely, the Government of the Republic of Afghanistan and the Government of the Islamic Republic of Pakistan, as well as from the two guarantors of the Geneva Accords, namely, the Government of the Union

of Soviet Socialist Republics and the Government of the United States of America has continued after the lapse of the mandate of UNGOMAP. Each of the host Governments has provided the necessary assistance in ensuring the security and safety of OSGAP personnel. I should therefore like to express my appreciation to the Governments of the two host countries and all other Governments concerned whose support and co-operation are essential for OSGAP to perform its functions effectively. I also take this opportunity to express my sincere appreciation to the Governments that have been providing military advisers to serve with OSGAP. I should also like to thank the civilian staff and the military advisers of OSGAP for their outstanding performance under difficult conditions.

24. Pursuant to paragraph 10 of General Assembly resolution 44/15, I intensified my consultations with all segments of the Afghan people, the two parties and the two guarantors of the Geneva Accords, the Governments of the neighbouring and other countries. I also initiated a series of consultations through my Personal Representative in Afghanistan and Pakistan, who has travelled extensively during the past two years shuttling between the capitals concerned.

25. Since the adoption of General Assembly resolution 44/15, I have had several discussions with the Foreign Minister of Afghanistan, Mr. Abdul Wakil, and as recently as September 1990, with President Najibullah, in Paris. Mr. Sevan has maintained close contacts with the authorities in Kabul. Since November 1989, his meetings with the Foreign Minister of Afghanistan have continued almost on a monthly basis, and he has had several lengthy and substantive discussions with President Najibullah during the current year. My representatives also maintained close contacts with the leaders of opposition groups based in Pesnawar and Tehran, as well as with other prominent Afghans currently residing outside the region. They have also been in close contact with leaders of opposition and other groups inside Afghanistan, including Afghan commanders.

26. I also had the opportunity to meet in April and September 1990 with the Foreign Minister of Pakistan, Sahabzada Yaqub Khan, and I was in touch through Mr. Sevan, with the President and the Prime Minister.

27. My discussions with the two guarantors of the Geneva Accords have been particularly intensive since the adoption of General Assembly resolution 44/15. In January 1990, I met in Moscow with the President of the USSR, Mr. Mikhail S. Gorbachev, with whom I had a thorough discussion on the Afghan question; I also discussed the question on several occasions with Mr. Eduard A. Shevardnadze, the Foreign Minister.

28. I also held discussions on this problem with the President of the United States, Mr. George Bush, in June 1990, as well as with Secretary of State, Mr. James A. Baker III.

29. In addition to my contacts with the guarantors and the regular contacts between Mr. Sevan and the Ambassadors of the guarantors in the area, a series of expert-level meetings have been conducted by my representatives with officials of the United States, in New York and in Washington, D.C., on a regular basis since

last November. Further, since last December, six similar meetings have been held with representatives of the USSR in Moscow, New York and Geneva.

30. I also had several opportunities to discuss the Afghan question with the Foreign Minister of the Islamic Republic of Iran, Dr. Ali Aqbar Velayati, as recently as September 1990. The Foreign Minister had previously received my representatives in April, June and August 1990 at Tehran.

31. The above account represents only the highlights of an intensive and continuous network of discussions that I and my representatives have been conducting with all concerned during the last 12 months for the purpose of encouraging and facilitating the creation of conditions for the early realization of a comprehensive political settlement in Afghanistan.

32. A number of specific proposals and suggestions have been put forward by the Government of the Republic of Afghanistan, the opposition leaders, prominent Afghans currently residing outside the region and the guarantors. The basic aim of all the proposals and suggestions has been to bring about the establishment of a government in Afghanistan, which would have the support of the majority of the Afghan people and thus bring an end to the fighting and suffering. Most of the proposals and suggestions recommend free and fair elections, bearing in mind the Afghan traditions as a means to achieve that objective. Most of them, however, have been put forward not as a result of a dialogue among the opposing parties, but rather as unilateral proposals.

33. I wish to reiterate what I stated in 1989, in my previous report on the work of the Organization. 2/ The problem relating to Afghanistan cannot be solved except by political means. For that, a consensus is needed both at the international and the national levels. As outlined in my current report on the work of the Organization, 3/ there has been progress in the direction of a consensus among the guarantors and the countries neighbouring Afghanistan. Such an international consensus is necessary, in my view, in order to encourage an Afghan national consensus and an Afghan political process, which in turn would enable the Afghan people to exercise, unhindered, their right to self-determination. In the course of the contacts and discussions I have mentioned above, the responses I have received so far from the Governments concerned clearly indicated a desire to achieve a settlement through political means.

34. I believe that the time has come to define the emerging international consensus in a more concrete manner in order to give the necessary impetus to the political settlement of the Afghan conflict. This consensus should comprise first and foremost the recognition of the right of the Afghan people to determine their own future, free from outside interference, as well as the necessity for a credible and impartial transition mechanism with appropriate powers and authority, as may be agreed, that would allow the Afghans to participate in a free and fair election process, taking into account Afghan traditions. This consensus should further indicate the need for a cessation of hostilities and a halt to the arms supply to all sides, as well as the necessity for the implementation of all other transitional arrangements. The plight of the Afghans has always been of great

concern to me and it is my belief that the emerging international consensus would recognize the need for international economic assistance to the Afghan population which has suffered for far too long.

35. I should like to emphasize that an international consensus, far from encouraging a solution that would be imposed on the Afghan people, would in fact free the Afghan question from its external constraints and allow the Afghan people to exercise, unhindered, their right to self-determination. Even when such an international consensus is achieved, a long and difficult road still lies ahead for the Afghan people. It will then be up to the Afghan people to reach agreement on the transition period and the transition mechanism.

36. I appeal to all Afghan leaders and to the Afghan people as a whole, to place the interest of the Afghan nation above all others in order to achieve a comprehensive political settlement. I am confident that the Afghan people will rise to the challenge, as they have done throughout their history. I stand ready to assist them, in whatever way they deem appropriate.

Notes

1/ See Official Records of the Security Council, Forty-third Year, Supplement for April, May and June 1988, document S/19835, annex I.

2/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 1 (A/44/1).

3/ Ibid., Forty-fifth Session, Supplement No. 1 (A/45/1).

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LETTER DATED 11 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF TUNISIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith a letter dated 10 October 1990 addressed to you by His Excellency Mr. Habib Boulares, Minister for Foreign Affairs of the Republic of Tunisia, concerning the administrative and financial measures taken by the Tunisian Government in implementation of the provisions of Security Council resolution 661 (1990).

(Signed) Ahmed GHEZAL
Ambassador
Permanent Representative

Annex

Letter dated 10 October 1990 from the Minister for Foreign Affairs of Tunisia addressed to the Secretary-General concerning the implementation of Security Council resolution 661 (1990)

Further to our letter of 24 August 1990 (S/21649) concerning the enforcement of the economic embargo against Iraq and Kuwait in accordance with Security Council resolution 661 (1990), in which Tunisia's commitment to the embargo and to the adoption of practical measures in that regard was reaffirmed and mention was made of the adverse repercussions of the embargo on the Tunisian economy, and further to your note of 24 August 1990 concerning the provision of information to the Security Council on the practical steps, including legislation and administrative and financial measures, that have been taken by Tunisia since the embargo was put into effect in order to ensure its implementation, I have the honour to inform you of the following:

Security Council resolution 661 (1990), imposing the embargo, was adopted in conformity with the Charter of the United Nations, whose provisions have ascendancy over Tunisian domestic law under paragraph 32 of the Constitution of the Republic of Tunisia, which states that "... treaties that have been legally ratified have a legal effect greater than that of laws". Accordingly, the Tunisian legislative system does not require legal or procedural enactments in order to give effect to the embargo, and written instructions may suffice. In practice, the Tunisian Government has not, in the mean time, been dilatory in adopting the administrative and financial measures for the implementation of the embargo set forth hereunder.

1. In the administrative domain

(a) Customs.

The Department of Customs has circulated written instructions to all of its field offices at land frontiers, ports and airports to the effect that all export and import operations to and from Iraq and Kuwait are prohibited.

(b) Transport.

The Tunisian Government suspended the sea link between Tunisian ports and the port of Aqaba at the outbreak of the crisis. At the same time, airline flights between Tunis and Kuwait have been cancelled. There is no direct air link between Tunis and Baghdad and no direct sea link between Tunisian ports and the port of Basra. It should be noted that, as of today's date, the Tunisian authorities have chartered five flights between Tunis and Amman for Tunisian expatriates returning from Iraq and Kuwait.

2. In the financial domain

(a) The Central Bank of Tunisia has circulated a letter to Tunisian banks in which it confirms its previous instructions relating to the enforcement of Security

Council resolution 661 (1990), requiring, in particular, the suspension of all funding transactions and of the granting of credits to Iraq or Kuwait.

(b) Export credit guarantees for transactions with both Kuwait and Iraq have been suspended. Accordingly, the Tunisian External Trade Insurance Corporation has notified all exporters of this measure, stressing the need for its observance.

(c) The granting of the financial incentives offered by the Tunisian Export Promotion Fund in respect of exports destined for Iraq and Kuwait has been suspended. The Fund is a mechanism of the Tunisian authorities for the promotion of exports, and it is funded directly from the State budget.

(d) In a desire to ensure enforcement, banking facilities have been accorded to exporters to cover a significant part of the value of goods stockpiled by them and not exported to Iraq or Kuwait owing to the embargo.

(e) The Tunisian authorities have taken the necessary measures to freeze Kuwaiti and Iraqi assets.

In conclusion, it should be noted in this connection that the National Assembly called for an extraordinary meeting on 11 September 1990 to consider the Gulf crisis. On that occasion, the Prime Minister, on behalf of the President of the Republic, delivered an address in which he affirmed Tunisia's commitment to the Security Council resolutions relating to the Gulf crisis.

Habib BOULARES
Minister for Foreign Affairs

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Agenda items 11, 23 and 35
REPORT OF THE SECURITY COUNCIL
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 9 October 1990 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a letter addressed to you and to the President of the Security Council by the Secretary-General of the Organization of the Islamic Conference, Mr. Hamid Algabid, concerning the massacre of the Palestinian people carried out by the Israeli security forces on 8 October 1990 in the occupied territories.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda items 11, 23 and 35, and of the Security Council.

(Signed) Amer MOUSSA
Permanent Representative

ANNEX

Letter dated 9 October 1990 from the Secretary-General of the Organization of the Islamic Conference to the Secretary-General of the United Nations

The Israeli Security Forces carried out, on 8 October 1990, a ruthless and premeditated massacre of the Palestinian people in occupied Jerusalem. The large number of Palestinian and Arab casualties provides an ample evidence of the grim realities of brutal occupation to which these peoples have been exposed since 1967.

The member States of the Organization of the Islamic Conference are deeply anguished by these events and wish to convey to Your Excellency their serious concern on the rapidly deteriorating situation in Palestinian and Arab territories under Israeli occupation. The extremely volatile situation in the occupied territories constitutes a serious threat to international peace and security.

Considering these facts, the absence of firm and effective action by the Security Council and the international community will encourage the Israeli occupation authorities to intensify their acts of brutal repression against the Palestinian people.

It is the hope of the OIC member States that at this crucial juncture of a new era in the international relations the Security Council, assuming its primary responsibility for the preservation and maintenance of international peace and security, will act decisively and with unanimity to uphold international legality, protect the human rights of the Palestinian and Arab peoples, and galvanize itself for resolving the Palestine issue on a just, equitable and durable basis.

I would like to express the confidence that the Security Council will take the necessary measures for providing international protection to the Palestinian people. The most effective means to achieve this objective pending the political settlement is by placing the occupied territory under the United Nations supervision, as is demanded and reflected in the relevant United Nations resolutions.

I would also like to urge, in this regard, the Security Council to take appropriate steps for sending urgently international observers to occupied Palestinian territories, as a first step in the process of elaborating protection measures for the Palestinian people.

I remain hopeful that the Security Council and the international community will not tolerate indefinitely the crimes which are being committed daily against the Palestinian people and now more than ever act to uphold the national and inalienable rights of Palestinian people, including their right of self-determination and establishment of their independent State on their national soil.

(Dr. Hamid ALGABID)

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Agenda item 153
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-fifth year

Letter dated 16 October 1990 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which has the powers and responsibilities of the Provisional Government of Palestine, to transmit to Your Excellency a memorandum, prepared by the Director General of the Department of Economic Affairs and Planning of the Palestine Liberation Organization, on the direct losses sustained by the Palestinians as a result of the Gulf crisis (see annex), for consideration of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait.

I should be grateful if you would arrange to have the text of this letter and the annexed memorandum circulated as an official document of the General Assembly and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Alternate Permanent Observer
of Palestine to the United Nations
Chargé d'affaires a.i.

ANNEX

DIRECT ECONOMIC LOSSES SUSTAINED BY THE PALESTINIANS AS A RESULT OF THE GULF CRISIS

This memorandum is meant to identify the categories of economic losses sustained, or most likely to be sustained by the Palestinians as a result of the Gulf crisis which broke out on August 2nd, 1990. These categories are grouped according to the community or "body" which will most feel the impact of the losses. However, it ought to be stated at the outset that it is very difficult to quantify the economic losses sustained (or sustainable), at least because of three reasons. The first is the dearth of specific information relevant to the memorandum and usable in the calculation of losses with a satisfactory degree of reliability. To meet this problem, the memorandum contains a mixture of firm quantification (some of it derived from Israel's annual Statistical Abstract), information reported by the more authoritative media, and estimates based on justifiable indicators.

The second reason is that the crisis is now seven weeks old at the time of writing, and some of its economic fallout as it hits the Palestinians has not yet had time to be identified, let alone assessed correctly. And the third reason that makes the assessment of losses very difficult is that some of these are capital losses ("stock"), while some others are income losses or income foregone ("flows") ; and the two cannot be added together. Nevertheless, we go on to attempt an assessment of losses, with the utmost care possible in identifying, and where feasible quantifying, the categories of losses. Where no quantification is at all possible, the memorandum merely identifies the category involved and characterizes it.

The losses under examination will be mainly sustained by three Palestinian communities as well as the Palestine Liberation Organization, PLO. We will now identify the losses of each of these by itself, and finally attempt to produce a cumulative account of them together.

1. Palestinians in the Occupied Territories

The suffering of this community of Palestinians is without doubt the most severe, because it comes to add to massive and general suffering caused by Israeli occupation in 1967, and repression since then, but most brutally and indiscriminately since the uprising or intifada erupted in December 1987. We need only add in passing that the community under reference now has gone through every form of hardship imaginable, and we need not therefore refer specifically to the political, economic, physical, psychological, and cultural aspects of the dispossession and hardship inflicted on groups and individuals alike, and on the community as a whole. In turning to the economic hardships deriving specifically from the eruption of the Gulf crisis, we identify the following categories.

a) The drop of about 20 percent in the value of the Jordanian dinar (the most dependable currency in wide use in the OT), in terms of its convertibility against the US dollar and in its purchasing power. It is reliably estimated that the price of petrolem and its derivatives has risen by well over 40 percent in the OT, but as energy constitutes a rather small proportion of domestic consumption and production inputs, the overall consumer price level has risen only by 15 percent so far. The severity of the impact of the factors just mentioned will certainly become heavier once the general slowdown in economic activity (because of the anxiety created by the "climate of war" in the region, and of the resultant steep drop in remittances into the OT) is sufficiently felt.

b) The complete stoppage of the flow of remittances to the OT from relatives in Kuwait. The Palestinians in this country number about 400,000, and include a labour force of about 150,000. (The size of the remittances will be estimated at the end of the next paragraph.)

c) The sharp drop by at leat one half in the remittances from Palestinians working in the other oil-exporting countries in the Gulf. This community numbers about 250,000, with a labour force of about 75,000. Both in Kuwait and in the other Gulf countries, the causes behind the stoppage and the decline in remittances, respectively, are the occupation of Kuwait and the fear of war in the area as a whole. A very sharp drop in economic activity has resulted, especially in Kuwait, and economic expectations for the immediate future are very grim. It is reasonable to expect that the remittances from Palestinians working abroad (as

"net factor payments abroad"), which totalled $ 808 million in 1987 -- of which some $ 100 million were earned through work in the Israeli economy leaving $ 708 million coming mostly from the Gulf -- would be no more than $ 142 million on a yearly basis. (We estimate remittances from Palestinians in Kuwait to be 60 percent of the total, or some $ 425 million; half the remittances from the other Gulf countries would amount to $ 142 million.) Thus the loss sustained by the OT from the drop in remittances from the Gulf alone would be $ 567 million on a yearly basis. But this is not all. This last sum, though huge compared with the size of the economy of the OT, has to be augmented by the income flow foregone as a result of the drop that will follow, both in consumption (through the working of the income "multiplier"), and in investiment, to which most of the remittances are usually directed, as official statistics show (through the working of the investment "accelerator"). In the absence of compensatory aid of substance, the economy will fall into a downward spiral movement.

d) An estimated 30,000 Palestinians have returned, mostly from Kuwait. Half of these are estimated to go to the OT, the other half mostly to Jordan but also to Syria and Lebanon. Those of working age among the returnees will only further inflate an already very high level of unemployment in the OT. (The Palestinian labour force actually employed in the Palestinian economy and in the Israeli economy constituted in 1987 only 66 percent of labour supply, even if this supply were defined to be no more than 25 percent of the population in that year. Thus, unemployment, which is today certainly more than 34 percent of labour supply, owing to the severe sluggishness in economic activity, given the constraints of the intifada, would be nearer 40 percent once the returning work force is added to the already unemployed in the OT. Once again, in the absence of compensatory financing to promote the economy via expanded investment and consumption, there will be even greater difficulty than before in creating new job opportunities. The problem of unemployment will most probably be greatly accentuated if the fear of a war breaking out continues, and more Palestinians leave the Gulf countries.

e) Further hardening of Israeli measures meant to limit exports from the OT via Jordan are beginning to be felt. Israel's excuse is that some of these exports are destined for Iraq, against which the economic sanctions imposed by the Security Council operate. And Israel, for once, will become the upholder of international legitimacy and the application of United Nations resolutions! The exports from the OT destined for Jordan amounted to $ 49 million in 1987. It is

presumed here that 60 percent of exports will today be bona fide exports to Jordan, and only a small part of the balance will be directed to Iraq. Perhaps the losses involved will not exceed $ 5 million, assuming alternatives to the Iraqi market are not found. But what is more serious with respect to lost opportunities for the export of OT products is the fact that Jordan itself, suffering severely as it is from the repercussions of the crisis in the Gulf, will cut its imports from the OT drastically. Indeed, Jordan is already under great economic strain, as we will have occasion to indicate later. The total loss sustained by the OT in the area of exports may well be in excess of $ 40-45 million on a yearly basis, assuming exports for 1990 will be about equal to what they were in 1987.

f) The final category of loss to be identified here is the complete stoppage of financial assistance from the Kuwait government and Kuwaiti private associations, the Arab Fund for Economic and Social Development and the Kuwait Fund for Arab Economic Development, to philanthropic, educational, health care, and economic programmes and projects in the OT. Already, one large hospital in the West Bank, the Maqassid Hospital, has announced that it will have to close its doors by the end of September unless financial aid is received to enable it to continue its work. The total assistance coming from Kuwaiti sources and Arab sources headquartered in Kuwait has been no less than $ 70 million on a yearly basis over the past two or three years. In addition, similar assistance has been coming from the other Gulf countries, in a much larger volume. Knowledgeable estimates put the latter volume of assistance at about $ 120 million on a yearly basis. Under present circumstances, no more than $ 50 million can be reasonably expected, and it will be mostly from Saudi Arabia.

2. Palestinian Communities in the Oil Countries of the Gulf

All the categories identified so far have represented the loss of income by the OT as a result of the Gulf crisis. The present section of the memorandum deals with substantial losses both in income and in capital assets, as the following points will show. However, there is hardly any possibility of quantifying either the income flows or the capital stocks involved, except on the basis of certain assumptions relating to income that can be defended but not substantiated.

a) As was indicated earlier, some 30,000 Palestinians resident in Kuwait have left since the occupation of Kuwait -- essentially because of a feeling of insecurity. Whether justified or not, this feeling has caused them the loss of their income from whatever source it had been coming. In addition, it threatens the movable and immovable assets left behind with erosion in their value because of neglect or physical damage, unwarranted take-over, and a drop in value arising from the official depreciation of the exchange rate between the Kuwaiti and Iraqi dinars in favour of the latter, by equating the two, while the Kuwaiti dinar used to fetch some three Iraqi dinars at the free market rate of exchange. (The assets left behind include creditor bank accounts and personal belongings of all sorts, in addition to business assets.)

b) The depreciation of the value of the assets of the Palestinians who have stayed in Kuwait (who number about 370,000), is considerable, both because of the steep drop in general economic activity and the reduction -- by decree -- in the value of the Kuwaiti dinar in which asset values had been denominated. Of great significance to them has additionally been the seizure by Iraqi authorities of the holdings by banks of currency (whether in Kuwaiti dinars or foreign exchange) and of securities. In addition, the Palestinians in question, like the Kuwaiti nationals and other non-Kuwaiti expatriates in Kuwait, sustain considerable loss of income as a result of the drop of economic activity to the bare minimum called for by the needs of survival. The expatriate communities have been hit very hard, as their members will face a three-horned dilemma: remaining in the country with very little if any income; leaving and thus exposing their possessions to take-over, neglect, and loss of value (in addition to the loss of their bank accounts); and liquidating some of their assets to meet living expenses in a considerably depressed market for business assets and personal belongings like cars, jewelry, and so on.

c) A very conservative estimate will now be attempted of the income expected to be lost, on a yearly basis, if the crisis continues at its present level for a whole year. On the assumption of a Palestinian labour force of 150,000 in Kuwait, of an average income per member of this force of $ 5,000 per annum -- a very conservative estimate indeed -- and of a drop of 60 percent of per capita income across the board, the income lost in one year would be $ 450 million. If the same calculation were made for the work force in the other Gulf countries which

numbers some 75,000, but on the assumption that the loss of income because of the slackening of economic activity under the influence of the crisis may amount to 20 percent across the board for the whole work force, then the total loss will amount to $ 75 million on a yearly basis.

3. The Palestinians/Jordanians in Jordan

This section of the memorandum permits of no quantification whatsoever. Consequently, the categories of Palestinian losses will be identified below in qualitative terms.

a) Like Jordanians originally from East Jordan, the Palestinians naturalized Jordanian resident in Jordan will suffer of the severe shrinkage of economic activity as a result of the Gulf crisis and the embargo imposed by the Secturity Council on Iraq. The magnitude of the hardship arises from the fact that the Jordanian economy had depended heavily on its Iraqi counterpart before the crisis, and much of the activity of the former had been generated thanks to its close connection with the latter.

b) As a result of the shrinkage just mentioned, and the intensification of Jordan's problem of scarcity of convertible foreign exchange, the value of the Jordanian dinar has fallen recently by about 20 percent vis-a-vis the US dollar. The danger is great that it may drop further, thus accentuating the weakness of the purchasing power of the national currency.

c) Understandably, the shrinkage in economic activity and the resultant drop in government revenues have forced the government to pursue a policy of extreme austerity which has meant the drop in public consumption and tightening of the civil srevice, as well as a freeze on new public investment except in the case of projects already initiated.

d) An atmosphere of anxiety prevails in the shadow of gloomy fears that war may break out. This adds further to grim business expectations and therefore a near-freeze of new investment by the business community, and a deepening of the problem of unemployment. The return of thousands of Jordanians and of Palestinians/Jordanians from Kuwait has aggravated this problem. No redress can be hoped for in this context without the injection of substantial economic

assistance which would compensate the country for the losses sustained as a result of the rupture of its economic dealings with Iraq upon the imposition of economic sanctions on the latter country. This would activate the economy, encourage new investment and create new job opportunities.

4. The Palestine Liberation Organization

The PLO itself, too, has had its share of economic hardship as a result of the crisis in the Gulf. This can be ascertained in the following two categories.

a) The complete stoppage of the payment by the Palestinians in Kuwait of the "liberation contribution" of 5 percent of income of Palestinian earners. The revenue attributable to this contribution would amount to $ 37.5 million on the basis of the total income earned by the Palestinians in Kuwait made in section 2 (c). Extending the calculation to the income of Palestinians working in the other Gulf countries, we reach an estimate of $ 25 million. The total loss under the present category would thus be $ 62.5 million.

b) The second category involved is the stoppage of the contributions made in the past to the PLO by the Kuwaiti government and many Kuwaiti private associations and groupings in support of the PLO's educational, cultural and educational, health, and relief programmes. Most of the financial support in question used to go to scores of institutions in the Occupied Territories. Even though the political and economic situation in the other countries of the Gulf has not been hit like that in Kuwait, it is expected that official and private contributions from those countries will continue but on a noticeably reduced basis.

5. Summing Up

This summing up takes account only of the loss of remittances and income, but it does not include the very huge losses of capital (physical and monetary) and personal belongings, the increase of unemployment, and other losses and hardships about which there is no quantifiable information available. Furthermore, it covers estimates on a one-year basis, assuming the economic situation did not deteriorate any further with respect to the various categories

dealt with. Finally, it does not include the termination-of-service or pension payments owed to Palestinian workers in the private sector and in government service in Kuwait, in case they were unable to take back their jobs with the financial rights attached to them.

The income and remittances foregone are summarized as follows:

Under section 1 above:	Remittances	$ 567	million
	Exports, say	40	
	Kuwaiti aid	70	
	Other Gulf aid	70	$ 747
Under section 2 above:	Income from Kuwait	425	
	Income from other Gulf	75	$ 500
Under section 4 above:	Palestinian contributions from Kuwait	37.5	
	Palestinian contributions from other Gulf	25	$ 62.5
Total			$ 1,309.5 million

In all probability, the capital losses are well in excess of the income and remittance losses just summed up.

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ABU AL[illegible]

Director General
Department of economic Affairs & Planning
P.L.O